SELECTIONS

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No. CLXVII.

PAPERS

RELATING TO

THE CRIME OF ROBBERY BY POISO

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PAPERS

RELATING TO

THE CRIME OF ROBBERY BY POISONING.

Extract from the Proceedings of the Government of India in the Home, Revenue, and Agricultural Department (Judicial),--under date Fort William, the 20th February 1880.

Read again the following correspondence with the several Local Governments and Administrations and other authorities on the subject of the crime of robbery by poisoning and of the measures recommended at various times for its suppression:—

Extract from the Proceedings of the Government of India in the Foreign Department, No. 36, dated the 4th February 1863, and enclosures.

From Government of the North-Western Provinces, No. 849A, dated the 20th October 1862, and enclosures.

To Government of the North-Western Provinces, No. 1545, dated the 6th March 1863.

From General Superintendent of Operations for the suppression of Thuggee and Dacoitee, No. 930, dated the 13th September 1865.

Circular letter to Local Governments and Administrations, Nos. 4707 to 4713, dated the 30th November 1865.

Replies to the above circular—

From Chief Commissioner, Central Provinces, No. 4564—396, dated 21st December 1865.

Ditto ditto, British Burma, No. 396½, dated 30th December 1865.

Ditto ditto, Oudh, No. 255, dated 17th January 1866.

Ditto Government of the North-Western Provinces, No. 229A., dated 2nd April 1866.

Ditto ditto, ditto, No. 515A., dated 17th July 1866.

Ditto ditto, Bengal, No. 2464, dated 13th April 1866.

Ditto ditto, Madras, No. 746, dated 17th May 1866.

Ditto ditto, Punjab, No. 1257, dated 3rd October 1866.

Endorsement to Legislative Branch, No. 1636, dated 21st December 1866.

From General Superintendent of Operations for the suppression of Thuggee and Dacoitee, No. 624, dated 1st August 1868.

To Government of Bombay, No. 640, dated 16th October 1868.

From ditto, No. 713, dated 19th February 1869, and enclosures.

To Government of Bengal, No. 652, dated 19th May 1869.

From Foreign Department, No. 13J., dated 24th January 1872, and enclosures.

Endorsement to Legislative Department, No. 113, dated 9th February 1872.

From General Superintendent of Operations for the suppression of Thuggee and Dacoitee, No. 1201, dated 29th October 1872, and enclosures.

To ditto ditto ditto, No. 62, dated 10th January 1873.

From ditto ditto ditto, No. 124A., dated 7th April 1873.

Circular letter to Local Governments and Administrations, Nos. 219 to 228, dated 27th May 1873.

Replies to the above circular—

- From Government of Madras, No. 1500, dated 18th September 1873, and enclosure.
- Ditto ditto, Bombay, No. 186, dated 31st March 1874, and enclosures.
- Ditto ditto, Bengal, No. 3993, dated 30th August 1873.
- Ditto ditto, North-Western Provinces, No. 205, dated 19th August 1873.
- Ditto ditto, Punjab, No. 3975, dated 24th October 1874, and enclosures.
- Ditto Chief Commissioner of Oudh, No. 3141, dated 27th June 1873, and enclosures.
- Ditto ditto, Central Provinces, No. 2339—112, dated 19th July 1873, and enclosures.
- Ditto ditto, British Burma, No. 1187—282, dated 18th October 1873, and enclosures.
- Ditto ditto, Coorg, No. 301—21J., dated 14th August 1873, and enclosure.
- Ditto Resident at Hyderabad, No. 86, dated 18th September 1873, and enclosure.

From General Superintendent of Operations for the suppression of Thuggee and Dacoitee, No. 318A., dated 25th June 1874.

Office Memorandum of Legislative Department, No. 287, dated 25th August 1874.

To General Superintendent of Operations for the suppression of Thuggee and Dacoitee, No. 288, dated 25th August 1874.

From ditto ditto, No. 734, dated 30th June 1875.

To ditto ditto, No. 217, dated 22nd July 1875.

Endorsement to Legislative Department, No. 218, dated 22nd July 1875.

Read also—

Extract, paragraphs 19 to 31, from the annual report of Mr. R. T. Hobart, Deputy Inspector-General of Police, North-

Western Provinces, on professional crime in those Provinces for 1877.

Extract, paragraphs 8 to 11, from a letter from the Government of the North-Western Provinces and Oudh, to the local Inspector-General of Police, No. 360A., dated 30th May 1878, communicating orders on Mr. Hobart's report.

From the Government of the North-Western Provinces and Oudh, to all Magistrates and Deputy Commissioners of Districts, and District Superintendents of Police in those Provinces, No. 58A, dated 30th May 1878.

From ditto ditto to ditto ditto, No. 65A., dated 15th June 1878.

RESOLUTION.—The question as to the best mode of dealing with the crime of robbery by poisoning has on several occasions occupied the attention of the Government of India. So far back as July 1861 the General Superintendent of Operations for the suppression of Thuggee and Dacoitee reported as follows to the Government of India in the Foreign Department on "dhatoora thuggee"—that is, robbery by the administration of poisonous drugs:—

"Impressed that the most strenuous efforts were called for to check a crime from which so many of our subjects suffered, that very little had hitherto been effected in revealing the mysterious operations of the persons who practised it, and that a thorough and successful investigation of the atrocity would prove an undertaking of public importance, it had long been my aim that the operations against these very dangerous offenders should be regularly and systematically taken up by the Thuggee Department."

* * * * * *

"Government will readily appreciate the difficulty this Department, or in its place the Police, must contend with in any combined effort for the suppression of this formidable evil, if the criminals detected should be inadequately punished, of which the instance quoted in paragraph 50 of this report is an example. The crime is committed by small isolated parties, generally altogether unconnected with each other. My predecessor, whenever alluding to them in his report to Government, has ever designated them as desultory offenders, depredating independently of each other. The only persons known to practise the crime professionally were some Parsees and Vior Chumars, both low-caste Hindu tribes. But according to the information now possessed, the crime is resorted to, not as a distinct profession, but as a ready means of robbery by every description of *budmash*, or loose character of every creed and denomination, not particular how they acquired what they desired to appropriate, and ready to undertake any act of villany, 'to aid in a dacoitee, to serve as a *lattial* in a zemindaree quarrel, to assist in a strangling, or some other act of secret butchery,' or to lurk upon the road with poison ready 'for the first unwary traveller.' They do not, in as much is known of them, form any thug association, nor has any circumstance as yet transpired to identify them (except the cases I have before spoken of

in the Punjab) with the *true thugs*. I have at this moment before me a budmash recently arrested, who has committed murders with sword, with bludgeon, by poison, by strangling, or in any way the opportunity and the means at hand prompted. He was a 'Gentleman of the Road,' like the associates he had picked up, assuming various disguises, as the occasion required. It may easily be supposed that where the spectacle was once offered of the impunity with which poisoners escaped and the rare instances of their detection, added to the ease with which the deadly drugs were procurable, the crime would readily be followed by the numerous objects who in this country so successfully preyed upon the community, and were ready to turn their hands to any act of villany. The practice of empoisonment would thus be speedily taken up by them without their necessarily forming any *general confederacy* for the purpose. It has been observed that where crime was the lesson taught, it rarely failed to happen that the common people should in no way be behind in resorting to it. It was Sir William Sleeman's opinion, however, that the design of these poisoners almost always was to destroy life. But subsequent experience has convinced me their intention generally only is to commit robbery while their victims should be in a state of insensibility from the effects of the drug or poison administered; that the quantity administered is given at a hazard according to the practitioner's individual idea of the sense-retaining faculty of the person to be practised upon; and that the unfortunate man is left to recover or die, as the chance may be."

Colonel Hervey accordingly suggested for the consideration of the Government of India that

(1) Act XXIX of 1850 (to amend Act XXXI* of 1838 for the prevention of poisoning), which was limited in its operation only to the jurisdiction of the Supreme Courts of the Presidency Towns, should be extended to all India; and

(2) that the Approver System should be followed in the Thuggee Department for dealing with the crime.

2 The Government of India were, however, of opinion that it was not necessary to extend the scope of Act XXIX of 1850, as the case seemed to be fully met by Section 328 of the Indian Penal Code. The Government also did not concur in the expediency of giving effect to the second suggestion on the ground that there was a material difference between the mode in which the crime of poisoning was practised and that of thuggee by strangulation.

3. About the year 1860-61 the frequency of cases of robbery by the administration of poisonous drugs then occurring in the North-Western Provinces led the local Inspector-General of Police to adopt special measures for the suppression of the crime which not seldom resulted in the death of the victims, and the enquiries made under his orders tended

* *Note.*—This Act has since been repealed.

to shew that the offence was perpetrated by gangs thoroughly organised and wide-spread. In urging upon the local Government the application of the Approver System of the Thuggee Department to the crime of robbery by the administration of poisonous or stupefying drugs, the Inspector-General wrote as follows :—

"A law is further necessary for the regulation of the sale or possession of deleterious drugs. In no less than four cases enquired into by the Police have the associates of men detected in administering *dhatoora* been found with *dhatoora* in their possession under circumstances which left no doubt of the purpose for which they had this poison, but who are not amenable to any law for such possession. Arsenic, *dhatoora*, *khurrearee*, and other poisons are freely brought and sold, and unless a restraint is imposed by law on their sale and on possession of these and other drugs, insecurity to life and property must follow."

* * * "The victims are invariably travellers who are not missed, and of whose disappearance no information is recorded. The crime is almost invariably committed in some spot where discovery of its commission is difficult; and I am positive that the informations we do receive are of those cases where the victims survive; that we do not hear of many cases where death ensues, but where no one *is concerned* for the murder, which is easily concealed by floating the body in the river."

4. In reply to the above remarks the Government of the North-Western Provinces informed the Inspector-General that

"no crime can be more hateful. It has not its origin in passion, jealousy, hatred, or revenge. It has for its object the unlawful acquisition of property by means which, though always endangering and not infrequently destroying life, are used with a cold-blooded deliberation and indifference as to consequences, which distinguish its perpetrators as among the very worst and most dangerous of criminals."

* * * * * *

"There is an Act of the Legislature in existence for regulating the sale and possession of poisonous drugs, but it is current only in the presidency towns. An application which was made to the Government of India for its extension some time ago was negatived, and it will not probably be received with more favour now."

5. In forwarding the correspondence to the Government of India in the Foreign Department for consideration, His Honor the Lieutenant-Governor urged that the Approver System might be made applicable to the crime.

6. This and previous correspondence on the subject with the North-Western Provinces Government, the Foreign Department on the 4th February 1863 transferred to the Home Department for disposal. Meanwhile, in October 1862, the Government of the North-Western Provinces submitted direct to the Home Department the results of police investigations into numerous cases of *dhatoora* poisoning,

confessions of some of the offenders and the particulars of the trials of others. The Local Government also forwarded copy of a correspondence with the General Superintendent for the suppression of Thuggee and Dacoitee to shew that *dhatoora* poisoning was a professional and organised crime, and strongly recommended special legislation for its suppression in the belief that " no measure short of that which was applied to the extirpation of thuggee will suffice to suppress this system of theft by the administration of poisonous or stupefying drugs." Among the papers submitted by the North-Western Provinces Government was a report by the Inspector-General of Police bringing to light a new phase of the crime—that of robbery of hackeries and bullocks by stupefying the drivers.

7. On full consideration of the papers received from the Government of the North-Western Provinces a reply was returned, explaining that the Penal and Criminal Procedure Codes contained sufficient provisions for the suppression of the crime in question, and for the attainment of the object which the Approver System was intended to answer in respect of thuggee and dacoitee, and that what was wanted was not any new or special law or any action on the part of the Government of India, but that the existing law should be properly and intelligently administered by the local authorities. It was added in conclusion—

"It is again proposed that the sale of poisonous drugs should be permitted only under license, and that the possession of such drugs for sale without a license should be made an offence. But I am to remark that the correspondence received from the Government of the North-Western Provinces shews that the persons who engage in the crime of robbery by administering to their victims poisonous and other drugs have no occasion to resort to the shops of druggists or others for the purchase of the drugs of which they generally make use. *Dhatoora* and *khurrearee* (the sweet-scented oleander), which, or preparations therefrom, are the poisons most frequently used by such persons, grow luxuriantly in jungles and gardens, and are often to be found on the roadside. The restriction, therefore, proposed to be placed on the sale of deleterious drugs would in no way interfere with the use of these two poisons, while as regards opium, *bhang*, *churrus*, *ganjah*, and other intoxicating drugs, which are also used by the same classes of persons with a view to reduce their victims to a state of insensibility before they proceed to rob them, these preparations are already required to be sold under license."

8. In August 1865 a Bill was introduced into the Bombay Legislative Council for regulating and restricting the sale of poisons. With reference to this Bill, Colonel Hervey, in September 1865, submitted a strong representation to the

Government of India on the great prevalence throughout Northern and Central India of the crime of professional poisoning. He wrote—

"I have from time to time ventured to urge the adoption of like measures upon the notice of the Government of India. The prevalence of the crime of poisoning in many directions justified me in the step; and although I may not say that a similar catastrophe is necessary to arouse the same attention to the subject, the serious extent to which the crime has reached, and its unabated progress throughout the country, will absolve me for enquiring *why*, under as dire a necessity, the same and even greater restrictions should not be imposed by the Supreme Government everywhere."

"In the Report on the Administration of Criminal Justice in the North-Western Provinces for 1864-65, just published, it is noticed that crimes analogous to thuggee and the giving of stupefying drugs had revived; and a case is quoted, which presented 'all the ordinary features of the old thuggee system' (the manifestation of which, I regret to say, is not confined to that single instance), of a Chumar personating a highly connected Thakoor. 'He was extremely well dressed in red turban, a chintz tunic, and a gold necklace. He induced a native *bahali* driver to take him from Itmadpur, in the Agra District, towards Jeytra, whither he said his son had preceded him in a palki. On the third day's journey he stupefied the carter with some intoxicating drug, left him on the roadside, and carried off the cart and bullocks.'" * * * "In Bengal the crime had gained such head without detection that the local Superintendent of Detective Police was recently directed by the Lieutenant-Governor to place himself in communication with me, and the enquiries which have resulted have led to such astonishing revelations of its fatal extent in that direction, and are attended with such horrible details, that I am left to wonder what the Police could have been about. Several recent instances in Oudh shew that it is successfully practised there, combined in some cases, as in Bengal, with strangulation after drugging." * * *

"Life generally is taken, or, if the victims recover, they mostly lose their health and their intellect, and in frequent cases there is no Police detection. On the contrary, death, if reported at all, is ascribed to disease, suicide, or wild beasts; and if death is escaped, silence is too often observed to avoid the charge of drunkenness or falsehood; or, if females should be the complainants, of inchastity and other taunts, at the sacrifice of the property which has been robbed and of justice.

"Merely, however, to restrict the sale of poisons would not be, I submit with respect, to go far enough in remedial measures. The whole law relating to the crime of poisoning, the sale, purchase, and possession of poisonous or noxious drugs, might, with salutary results, be made more stringent." * * * "As submitted in another place, the person who desires to obtain such things for criminal purposes would, in preference to any enacted restriction on the sale of poisons, have no need to resort to the druggist's stall or the chemist's counter, in a country in which he was able readily to get what he wanted from the roots of trees, from jungle, garden, or the wayside; or, for mineral poisons, to the travelling

quacks (*vaids*) who numerously roam the country vending unquestioned every noxious thing; but he would have to bethink himself how to prevent his being discovered to possess them if it was made *unlawful* to do so."

9. The Government of India, on the 30th November 1865, forwarded copies of Colonel Hervey's representation and of the Bombay Bill, with its Statement of Objects and Reasons, to the other local Governments and Administrations, with a request for an expression of opinion whether such a measure for all India would be likely to be productive of good without proving at the same time an engine of oppression. The replies received contained much valuable criticisms, and the weight of opinion was in favour of legislation on the subject.

10. Again, on the 1st August 1868 Colonel Hervey submitted a collection of statistics connected with the crime of robbery by poisoning throughout Bengal and Upper India, with detailed information relating to the successful exertions of Mr. Reily, a detective officer specially deputed by the Bengal Government, which had resulted in the prosecution and conviction of a number of gangs of professional poisoners, who had committed the crime, with, in some instances, fatal consequences, in several parts of the Lower Provinces. In doing so, Colonel Hervey referred to his former proposal for special legislation and wrote as follows :—

* * * "I believe an objection to such a law was urged in the fact that *dhatoora*, for instance, was often used by natives for medicinal purposes. If justice should be defeated by these detestable criminals making use of the same argument in support of their innocence, it were weakness for us to urge it too, if through it they should be saved from punishment."

* * * "As submitted, however, in my letter under advertence, the inconvenience of a prohibitory law of the scope advocated by me to those who really used drugs for curative purposes would affect a very few in comparison with the very many whom the restriction would protect. They who required such things for honest aims would suffer little from the mere trouble of having to seek permission to possess them, while the effect upon those who wanted them for criminal ends would at least be that they would in some measure be deterred from too readily using them, lest they should be discovered *unlawfully* to have them.

"That the old crime of thuggee by strangulation has been superseded by that of poisoning is, I believe, now generally admitted, or it would be admitted from the information presented by these statements alone, if former reports had not sufficiently established the fact; and it is only in continuation of my very earnest efforts for the suppression of the dreadful evil that I have ventured to come up to Government with these proposals—an evil accomplished by secret means at once diabolical and cowardly, and which, if it should not be attended with the destruction of life in every case, the destruction thereof is so far contemplated that the purpose being effected,—namely, the robbery of the victim,—it is of no concern to the criminal whether the man dies or not; his recovery being,

on the other hand, often attended with the sacrifice of his intellect or of his bodily health; and under these conditions I humbly commend these statements to the consideration of Government."

11. The Government of Bombay having in the meanwhile passed their Bill into law as Act VIII of 1866, the Government of India, in view to the disposal of the question whether recourse should be had to legislation to control and regulate the possession and sale of poisonous drugs in the Bengal Presidency, addressed the Bombay Government under date the 16th October following, and enquired how the Act had worked, whether it had produced any tangible results, and whether it had been found possible to enforce its provisions without oppression.

12. On the 19th February 1869 the Bombay Government submitted a report which shewed conclusively that Act VIII of 1866 had not produced any tangible results in that Presidency; and the Government of India, after careful consideration, decided not to take any further action in the matter, as the difficulties in the way of legislating to any useful purpose appeared to be so great.

13. In April 1873, in the course of a correspondence on the subject of the prevalence of the crime in the Punjab, Colonel Hervey again represented the inadequacy of the provisions in the Penal and Criminal Procedure Codes for its suppression. He wrote—

"My proposal was, and always has been, to convert Act XXIX* of 1850 for the prevention of poisoning, the operation of which was confined to the presidency towns only, into a law for all India. That law provides that the sentence passed upon a person convicted of the crime of poisoning may be death or transportation for life; and under its operation we should be enabled to obtain approvers who would always remain in custody, and from whom more reliable evidence might be expected than is ordinarily to be elicited from persons who should not be so sentenced. The higher punishment would also have its due effect upon the people in the habit of committing this crime. Under the existing mofussil law the sentence to be awarded to a person convicted of poisoning is limited to ten years' imprisonment only.† This is not sufficient to deter the many, and it prevents our applying the Approver System to the suppression of the crime with any prospect of success. If death has been the result of the poison administered, the distinct law for murder is certainly strong enough for obtaining a sentence of death, or of life transportation; but it is necessary in such cases to indict the accused on the charge of that specific instance *per se*, and the evidence necessary for obtaining conviction thereon is in cases of murder by means of poison generally insufficient, except on very special occasions. The alternative with us

† *Vide* Section 328, Indian Penal Code.

* *Note.*—This Act has since been repealed.

is to arraign the accused on the *general charge* of his 'belonging to the gang' engaged in such practices, and our procedure is to adduce certain well-authenticated instances of the crime as part of the proof of that charge,—not to shew that the accused was present *in* them, but that 'he belonged to the gang' *by* which they were committed.

"The object, then, being to suppress the crime of professional poisoning, it is obvious that limited sentences cannot answer the purpose, for under their operation every convict is set at liberty on the expiration of the period for which he was sentenced, and every approver is also similarly released. It is well known that professional criminals always revert to crime directly they have renewed opportunities for doing so, and released approvers have never formed any exception to this general rule. They will return to the trade equally with the persons against whom they had given evidence. My object is to make all persons convicted of the crime of professional poisoning altogether impotent for future mischief."

14. The Government of India, before taking any action on Colonel Hervey's representation, deemed it proper to ascertain the views of the local Governments and Administrations on the subject. A circular letter was therefore addressed to them on the 27th May 1873, forwarding a copy of Colonel Hervey's letter, and enquiring whether the crime of habitual poisoning with intent to rob and of associating in gangs for this purpose was prevalent in their respective provinces. It was also said that it would be desirable to know whether the suggestion of Colonel Hervey, that crime of this class should be dealt with on the thuggee system, was approved, or whether, in the event of the punishment which "it is now legal to award being considered insufficient, any other alteration of the existing law is preferred." The state of the law was at the same time explained in the following terms :—

"As matters now stand, the portions of the Penal Code which affect this crime are Sections 307, 310, 311, and 328. Sections 310 and 311 define and provide the punishment for thuggee; but, inasmuch as the commission of murder enters into the definition of the latter offence, they have not scope enough to take in cases of partial poisoning. Section 328 deals with the special case of administering poison with intent to commit an offence, but the utmost punishment it awards is imprisonment for ten years and fine. Finally, under Section 307 every case in which hurt is actually caused (*i. e.*, when the victim is subjected to bodily pain, disease, or infirmity, Section 319) the offender may be transported for life."

15. The replies received shewed that professional poisoning was not prevalent in the Madras Presidency and British Burma. It was also not prevalent to such an extent in the Bombay Presidency, the North-Western Provinces, Punjab, Central Provinces, Coorg, and the Hyderabad Assigned Districts, as to call for any change in the law.

The Bengal Government stated that, assuming that gangs of professional poisoners did or might exist, the Approver System was perhaps the only way of getting at them and breaking them up, if it was thoroughly well worked and supervised; and the Lieutenant-Governor was very strongly of opinion that the maximum punishment for the offence described in Section 328 of the Penal Code should be raised, as proposed, by adding transportation for life to the penalties already provided for in that section. The Lieutenant-Governor also recommended that the opportunity should be taken to raise the maximum punishment for all attempts at murder under Section 307, whether hurt be actually caused or not. Though the crime was not prevalent in Oudh, the Chief Commissioner of that province also suggested an amendment of Section 328 of the Penal Code in the direction recommended by the Bengal Government.

16. The opinions of the local authorities and the statements on which they were founded did not accord with those of Colonel Hervey; but the Government of India thought that the difference was to be accounted for by the circumstance that Colonel Hervey was cognizant of all the cases throughout India, and each local officer only of the cases in his own locality. They therefore directed that Colonel Hervey's suggestion for the amendment of the law should be considered on the occasion of the next revision of the Indian Penal Code.

17. Major E. R. C. Bradford having in the meanwhile succeeded Colonel Hervey as General Superintendent of Operations for the suppression of Thuggee and Dacoitee was invited to express his views on the matter. In his reply to this reference, Major Bradford stated that he did not consider any amendment of the existing law called for on the following grounds :—

"There can, I think, be little, if any, doubt that the administering of poison with a view to rob the person to whom poison is administered whereby, if death does not actually ensue, life is almost always endangered and insensibility or violent retching or vomiting and purging generally caused, is within the definition of 'voluntarily causing hurt' or even grievous hurt; and such being the case, Section 394 of the Indian Penal Code, not Section 328 (which Colonel Hervey in his letter under reference appears to have considered the only one applicable to these cases), is that under which all cases such as this Department has any cognizance of should be committed and tried."

* * * * * *

"Under the above section, then, I deem it, every requirement which Colonel Hervey considered would be fulfilled by making the now repealed

Act XXIX of 1850 applicable to the whole of India is met, and I cannot conceive that more is required."

18. The Government of India, while accepting this opinion, intimated to Major Bradford that it would be open to him to modify his views, if further experience should not confirm them, in which case the Government would wish to be informed.

19. From a perusal of the extract from Mr. Hobart's report, referred to in the preamble of this Resolution, it would appear that the crime of professional poisoning with intent to rob is still prevalent in the North-Western Provinces in its various forms. Mr. Hobart states his opinion that this crime is very much concealed, and that such is the prevailing impression among officers who have had most experience in the matter. As to the grounds for this opinion, Mr. Hobart writes—

"When professional poisoners are caught and confess their guilt, the record is a series of crimes extending sometimes over thirty years—crimes committed with almost absolute impunity and frequently unrecorded. As a rule, the amount taken is small, and victims do not care to lose their time as well as their money, and so do not report the offence at police stations. Indeed, it not seldom happens that the victims will obstinately deny that any stranger joined and drugged them, and cases have to be worked out in the face of this dogged opposition. Zemindars constituting a panchayet are only too glad to find that a man has died by the visitation of God; and such men will at times let both poisoner and victim go, and so save themselves trouble. The chaukidar will at times take the sufferer off to the boundary of another village and leave him there, so as to get rid of responsibility."

The suggestions offered by Mr. Hobart for meeting the difficulties encountered by the Police in dealing with the crime and for its prevention, all of which have been approved by the local Government, are practical and worthy of attention.

20. With a view, therefore, of giving publicity to those suggestions, the Governor General in Council directs that Mr. Hobart's report, together with the orders of the local Government on it, and the more important previous correspondence on the subject, be published in the form of a Selection from the Records of the Government of India, and circulated for general information.

ORDERED.—Ordered, that this Resolution be communicated to all local Governments and Administrations, with the request that the attention of Police officers may be specially

drawn to the facts set out in Mr. Hobart's report; to the General Superintendent of Operations for the suppression of Thuggee and Dacoitee, and the Foreign Department for information.

Extract from the Proceedings of the Government of India in the Foreign Department,—No. 36, under date the 4th February 1863.

READ the following despatches regarding the proposed extension of the "Approver System" to all cases of robbery by stupefying or poisoning:—

Letter from Secretary to Government, North-Western Provinces, dated 11th June 1862, No. 475A.

* * * * * * *

Letter from Secretary to Government, North-Western Provinces, dated 13th September 1862, No. 753B.

* * * * * * *

Ordered, that the above-mentioned papers be transferred to the Home Department for disposal.

From SIR GEORGE COUPER, Bart., C.B., Secretary to the Government of the North-Western Provinces, to COLONEL H. M. DURAND, C.B., Secretary to the Government of India, Foreign Department,—No. 475A, dated Nynee Tal, the 11th June 1862.

I am directed to forward to you, for submission to His Excellency the Viceroy and Governor General in Council, the accompanying copy of a letter, No. 63A., dated the 23rd ultimo, and of its enclosures, from the Inspector-General of Police in these Provinces, and to request that the decision, conveyed in the letter from the Officiating Secretary in the Foreign Department, No. 5343, dated the 16th of September 1861, to the General Superintendent for the suppression of Thuggee and Dacoitee, may be reconsidered.

2. Major Hervey's proposal to extend the Approver System to cases of poisoning seems to have been negatived solely on the ground that, whereas the crime of thuggee by strangulation was committed by organised bands, having ramifications through all India, the crime of poisoning, or of robbery by the administration of deleterious or poisonous drugs, is not committed by organised bands.

3. The Lieutenant-Governor's belief is that this latter offence is perpetrated by bands, almost as thoroughly organised as the gangs of thugs, which have now, happily, been almost destroyed by the Approver System, which it is now desired to apply to the extinction of the former. In the Police reports numerous cases of robbery by the administration of poisonous or deleterious drugs being observed, communications on the subject were opened with the General Superintendent for the suppression of Thuggee and Dacoitee, but with little or no result. After the formation of the new Police, the attention of the Inspector-General of Police was directed to the subject, and it was not long before reason was found for believing that the general impression of robbery by administration of poison being an organised crime was correct

4. The measures that were subsequently taken by this Government will be apparent from the enclosed copies of correspondence,* which, though Captain Watson's enquiries were not at the time, and are not even now, complete, will serve to shew that there are regularly organised gangs who follow the crime of robbery by administering deleterious or poisonous drugs as a profession. The facts thus elicited, in the very commencement of Captain Watson's investigations, have been further confirmed as they have proceeded: *vide* paragraphs 9, 10, and 11 of Mr. Court's letter No. 63A., dated the 23rd ultimo. Captain Watson's complete report will be submitted hereafter to the Government of India if required: but the conviction on the Lieutenant-Governor's mind is very strong that the crime under present notice is no less systematically committed by organised bands of professional poisoners than used to be the crime of thuggee. The only difference is that drugs, which will certainly deprive any human being of his senses for a time, and may very probably destroy him, are used instead of the handkerchief. There is no difference in the degree of atrocity.

* From Inspector-General of Police of the North-Western Provinces, No. 201A., dated the 22nd of August 1861, and two enclosures.
To ditto ditto, No. 957A., dated the 7th of September 1861.

5. If, as assumed, the only reason for rejecting the proposal to apply the Approver System to crime of this class was, that it is not systematically committed by organised bands in association, scattered over the country, then possibly the Government of India may see fit to reconsider their decision. The Inspector-General of Police shews that the provisions of Section 209 *et seq*. of the Criminal Procedure Code do not meet the exigency; and the Lieutenant-Governor is of opinion that by the Approver System alone will the Government be able to extinguish this organised system of robbery by poison, and to break up the gangs who professionally follow it.

6. In those cases in which death ensues, and in which it may be proved that the offender has been habitually associated with other or others in committing robbery by the use of stupefying or poisonous drugs, the offender may be identified with a thug under Section 310 of the Penal Code; and in that case he would be dealt with as a thug might be dealt with, but, though some of these gangs intend, and provide for the commission of, murder, this is not universal. Death does not always ensue, although there must always be a chance of death being caused. It is advisable, therefore, that the Approver System should be extended explicitly to all cases of robbery by the administration of stupefying or poisonous substances or fluids, whether death ensue or not. There is an organised system of crime committed by professional gangs in association and in communication with each other, and this, His Honor apprehends, can be no more effectually suppressed than thuggee could have been without the exceptional plan of operation which was sanctioned for, and has nearly succeeded in, its extinction.

From M. H. COURT, Esq., Inspector-General of Police of the North-Western Provinces, to SIR GEORGE COUPER, Bart., C.B., Secretary to the Government of the North-Western Provinces,—No. 63A., dated Nynee Tal, the 23rd May 1862.

I have the honor to forward a copy of a letter from Captain Watson, District Superintendent of Police, specially commissioned for

investigation of offences by poisoning in the Division of Benares, and copy of my letter in reply thereto.

2. I take the opportunity of respectfully begging the Government of India to *reconsider* the Resolution by which admission of persons convicted of administering poison for commission of robbery cannot be allowed as "approvers," and regulating that, whenever an offer of pardon is considered advisable, such pardon should be offered under the conditions of the common law, *i. e.,* under Sections 209, 210, and 211, Chapter VII, Act XXV of 1861.

3. The difference between pardon as an approver and (under the sections quoted) as *Queen's evidence* is very material, as I will attempt to shew.

4. Pardon as an approver is held out to a criminal against whom sentence has been awarded, *i. e., after* trial and conviction. Such pardon is *conditional* on the criminal telling nothing but the truth. The sentence is capable of being carried into execution if the conditions are broken, and the criminal does not get liberty from surveillance.

5. Conditional pardon under Section 209 of Act XXV of 1861 is given *before,* and avoids trial and conviction, and, as such, is in practice only applicable to individual crimes. The conditions of the pardon are more easily avoided or broken without discovery, or with great facility of escape from the consequences, and the pardoned criminal is released on the conditions being fulfilled.

6. Pardon as an approver, which is in reality only permanent suspension of execution of sentence, is for the following reasons, necessary in dealing with criminal associations :—

1st.—Because revelation of crime, and the betrayal of accomplices, will not be obtained where release follows such revelation, release being in reality sentence of death. The guilty parties denounced, but who have avoided apprehension, would seek and take any opportunity for destroying the denouncer, and doing away with the witness of their guilt.

2nd.—Where the evidence is that of an accomplice to a series of crimes, a full or on the other hand a truthful revelation is not obtained by offer of conditional pardon as Queen's evidence. On the one hand crimes are fabricated which never occurred, in order to make it appear that the information given is of great value; and on the other hand crimes which have occurred, but in which the parties concerned are at large, are concealed, because of the inevitable consequences of denouncement; and in consequence of part of the story being proved to be false, the evidence given is valueless, where true.

3rd.—Persons who have been once engaged in extended crime will certainly recur to the profession after release, and it is necessary such should be kept under surveillance.

7. There are other reasons, but these given are the most forcible.

8. Captain Watson's report on the investigations made by him has not been yet submitted, because he has but recently obtained fresh and important information of the existence of two large gangs of professional poisoners.

9. Mussumat Brij Bussia (whose sentence has been remitted by the Honorable the Lieutenant-Governor), Mussumat Chowrassia, and Musst.

Partabeea, *alias* Pertaboo, have all given confession, in which between 70 or 80 persons, belonging to the following gangs, have been denounced:

Zalim Sing's gang of about	300 persons.
Dulltumun Sing's gang of about	60 ,,
Narayun Doss's gang of about	40 ,,

10. All these three commence by relating "I am a thug and a member of a gang of thugs." They then give details of the several crimes committed.

11. Other evidence has been obtained sufficient to convince that robbery by "administration of poisonous drugs" is systematically committed by associated gangs still at large; that death frequently results from the administration of the drug, and, in the case of Zalim Sing's gang, the murder of the victim was intended and fully provided for; and with the proofs before me of this system being as extended, I believe, as the system of robbery by strangulation, I venture to urge upon the Supreme Government the extension of the Approver System to all crimes of this nature.

12. Chowrassia and Pertaboo are both under trial; their stories are full of gaps, which shew a great deal of information is still withheld, and I have demi-officially directed Captain Watson to await reply to this letter before offering conditional pardon as Queen's evidence.

From CAPTAIN J. T. WATSON, District Superintendent of Police and Magistrate on Special Duty at Benares, to M. H. COURT, Esq., Inspector-General of Police of the North-Western Provinces,—No. 35, dated the 6th May 1862.

I have the honor to submit the following point for your consideration and for reference to higher authority should you think such a course advisable.

The system of admitting approvers to a conditional pardon on certain stipulated terms obtains in the Thuggee Department, and differs entirely from the pardon which a Magistrate is competent to offer under Section 209, Act XXV of 1861.

I forward an extract of a letter* from Major Hervey, General Superintendent, in which he mentions in detail several very cogent reasons against tendering full pardon to professional criminals, and I can urge nothing likely to strengthen the serious objections to such a course adduced by the above-named officer.

* Major Hervey, General Superintendent of Operations for the suppression of Thuggee and Dacoitee.

The question arises, Are persons who are concerned in the offence of "administering stupefying drugs with intent to commit offence," *vide* Section 328, Act XLV of 1861, to be considered identical with those concerned in thuggee as defined in Section 310 of the same Act?

Although death is not the invariable result, it is the occasional consequence of the offence—the intention of the culprit is theft; but Section 300, Act XLV of 1861, distinctly states that it is murder, if the person committing the act knows that it is so imminently dangerous that it must in all probability cause death or such bodily injury as is likely to cause death." In this aspect of the case a dhatoora-poisoner is "a thug," *i. e.*, because an injury likely to cause death for the purpose of committing robbery; and if "a thug," the conditional pardon is the only pardon that should be offered to him if required as an Approver.

My object in bringing this subject forward is in the hope that explicit orders may be given extending the Approver System, now existing in the Thuggee Department, to the crime of professional poisoning with intent to commit theft.

I submit that I am not incorrect in supposing that, as the law now stands, a Magistrate has a reasonable ground for admitting approvers in dhatoora cases to conditional pardon, but officers would be saved much embarrassment if the law was more explicit on this point.

From M. H. Court, Esq., Inspector-General of Police of the North-Western Provinces, to Captain J. T. Watson, District Superintendent of Police, on Special Duty, Benares,—dated Nynee Tal, the 23rd May 1862.

I have the honor to acknowledge the receipt of your letter No. 35, dated the 6th instant.

2. Section 310 describes a thug as any one who shall have been *habitually associated with any other or others* for the purpose of committing robbery by *means of* or *accompanied by murder*.

3. Unless, therefore, you can prove that any poisoner has been associated with even one other person for commission of one robbery, in which murder has been actually committed, I do not think a charge can be sustained under Section 310 of Act XLV of 1860, which evidently requires a murder, though only a single one, to have been committed by the association, in order to convict a member of such association, against whom proof of murder cannot be found, of being a thug.

4. I do not think you will have much difficulty in doing so, with such poisoners as you can prove to belong to either Zalim Sing's, Dulltumun Sing's, or Narayun Doss's gang; and wherever you can establish the fact of one death having resulted from the administration of dhatoora or other drug, every member of the association becomes a thug under Section 310, and liable to transportation for life under Section 311, of Act XLV of 1860.

5. It is most essential that you should on every opportunity avail yourself of opportunity to apply Sections 310 and 311. That the crime of robbery by administration of poison is committed by members of associations, systematised to an extent of which we probably have not yet obtained full information, appears beyond doubt; and the task is before us not of convicting men guilty of individual offence, but of destroying a system and the gangs guilty of this offence.

6. I hope to be able to get the Approver System extended to dhatoora and other poisonings, and have applied to Government again on the subject.

7. If allowed, it becomes more than ever an object to get the full sentence authorised by law passed; and you should officially inform the Judge of the extent of the crime, of the insufficiency of any mitigated punishment for its suppression, entering yourself, if necessary, as a witness for the prosecution.

8. It may happen, and frequently so, that a poisoner sentenced to transportation for life will, after conviction and such sentence, not only turn approver, but be most valuable as such, although, before conviction, he strongly denied knowledge of his accomplices. If, therefore,

the Approver System be conceded, it will be more than ever expedient to urge full sentence of punishment, and, whenever you can obtain a full return, to offer conditional remission of sentence, for betrayal of accomplices and information; the approver, of course, remaining under surveillance for life, and receiving the necessaries of life at the cost of Government.

From M. H. COURT, Esq., Inspector-General of Police of the North-Western Provinces, to SIR GEORGE COUPER, Bart., and C.B., Secretary to the Government of the North-Western Provinces,—No. 201A., dated Nynee Tal, the 22nd August 1861.

I have the honor to forward herewith copies of letters as per margin, received from Captain Watson, District Superintendent of Police at Benares.

From District Superintendent of Police at Benares, to the Inspector-General of Police of the North-Western Provinces, No. 98, dated the 5th of August 1861.

From District Superintendent of Police at Benares, to the Inspector-General of Police of the North-Western Provinces, No. 100, dated the 6th of August 1861.

2. I think there can be no doubt but that Captain Watson has obtained good and reliable information, that if promptly followed up will lead to the detection, apprehension, and conviction of a large completely organised gang of poisoners who have evidently been in existence for some years.

3. It will be most important, not only to eradicate these criminals, but to obtain as close an insight as possible into the organisation (it appears they had a Rajah at their head; on his death his widow was acknowledged their leader, and is styled by Jowala Pershad, the Ranee Lulloo) of the accomplices and assistants, and other agency by which the plunder is conveyed to the leader; of the degrees of subordination, the rules of, and the peculiar language used by, the society.

4. This information can only be obtained by approvers, formerly members of the gang. Brij Bussia, the prisoner in the Benares Jail, should be accepted as one whose stories can be backed by the revelations of any others whom it may be found expedient to accept hereafter as approvers.

5. I think the evidence obtained so important as to require the employment of an officer specially for its investigation in aid of Major Hervey, and his Assistant, Captain Chamberlain. The latter officer has already so many important cases under investigation that he could not devote his attention to this case only, and although his experience would be of the greatest advantage, I think undivided attention will be found more fruitful than experience in this case.

6. Captain Watson, having obtained the first clue to the gang, may, I hope, be given the opportunity of conducting the investigation, success in which will add considerably to the creditable name he has already acquired at Benares.

7. It will be necessary, should this be approved of, that this officer receive a special commission, extending his powers of a Magistrate to any part of the North-Western Provinces. Generally speaking, his procedure will be more of a judicial than a police character, and Captain Watson's powers as a Magistrate are at present limited to the Benares Division, whereas the country haunted by the gang certainly extends to Cawnpore, and apparently to Central India and Bundelcund.

8. In order to induce Brij Bussia to make full revelation of all she knows, I would propose that remission of her sentence be offered to her

on condition of her giving all the information she can, and of her naming and pointing out every member of the gang and every receiver of the property plundered by them—the release from confinement to commence so soon as her part of the contract is fulfilled; that, if this offer be accepted, the Superintendent of the Central Prison be directed to relieve her from labour, to relax any severe discipline, and to allow Captain Watson free communication with her, either by sending her to Captain Watson or allowing him to see her.

9. If she turn approver, it will be necessary for some time at all events to protect her from her former associates, and to provide her with the necessaries of life, otherwise she will certainly fall a victim to the vengeance of those betrayed by her.

10. Lastly, I would recommend that Captain Watson be directed to consider himself under the direction and guidance of Major Hervey, the head of the department for the suppression of this crime; that the information from time to time obtained be furnished to him, and his advice and direction obtained in selection of any others as approvers.

From Captain J. T. Watson, District Superintendent of Police at Benares, to M. H. Court, Esq., Inspector-General of Police, North-Western Provinces,—No. 98, dated the 5th August 1861.

In accordance with the instructions contained in Circular Order No. 16, dated Allahabad, the 26th of June 1861, I have the honor to forward a copy of certain notes taken by me regarding the crime of theft by poisoning.

Copy of Notes made by Captain J. T. Watson *on the crime of theft by poisoning.*

A detective constable named Fukeer Misser, belonging to the Benares District Police, reported that a woman, with whom he was acquainted, told him that she would give some information regarding a system of drugging which has been carried on for the last few years in this and the neighbouring districts. I had this constable with the woman brought to me, and I have elicited the following facts: A certain Rajpootnee, named Brij Bussia, *alias* Judd Bunsee, who was imprisoned 18 months ago for being implicated in a case of drugging, had in course of conversation mentioned the names of several of her associates to the woman with whom the constable was acquainted.

I obtained Dr. Naismith's leave to have an interview with the female prisoner above named, and after some little demur on her part, and assurance from me that no injury could accrue to her from any revelation she might wish to make, she made the following disclosures: That she was one of a gang of men and women who obtained a livelihood by drugging travellers and others, stealing from them such valuables as they had while they were in a state of unconsciousness. Their mode of operation is as follows:—

They have a chief, whom she had never seen and who few of the inferior members of the gang have ever seen, who employed them, and to whom they made over through agents the property stolen, and who gave them a full half of all they earned; this man was known to her by the name of Jowala Pershad, and he resides in Cawnpore; she had often received money from him, but she was always paid by a woman of the Brahmin caste named Chowrassia, a resident of Golah Gopalpore, in the City of Goruckpore.

When the master of the gang gave the order, they started on their expeditions; one man generally accompanied each girl, and very often an old woman joined them. When a traveller, who seems likely to have money, is discovered, the girl, who is provided with a few jewels, and is generally well dressed, manages to obtain his notice and pretends she has lost her party, and that her husband has left her, or that she has lost her husband and his party. The traveller, beguiled by this story and ensnared by her blandishments, commences an acquaintance, permits the woman to accompany him, and thus an intimacy commences, and she chooses her opportunity to mix some dhatoora with his food; and while he is in a state of insensibility she purloins his valuables, and again joins her party, who though not immediately in sight, have never been very far from the girl and her victim.

The following are the names of some of the gangs residing in the City of Benares :—

Kunhaega Koorme and Mungul Koorme, residents of Mohullah Burkeepeeree.

Mussamut Rudduah Geeridarie, of the same mohullah.

Mungrie Aherin, of Mohullah Juggumbarree.

The woman Brij Bussia also states that the head of the gang in the Goruckpur District is a man of the name of Ghuttee Burhae, of Mohullah Kooneepore, in the City of Goruckpore; she states that this man, besides being connected with the poisoners, is also a noted budmash, and that he still had in his possession property which he plundered during the disturbances from the house of a Mr. Birch, at Goruckpore.

She further states that the gang employ no signs or any kind of language, and that there are many members known only to the headmen.

When she was asked how it was that women entrusted with jewels by the head of the gang did not run away, she replied that no girl was ever trusted alone with valuables, and that either an old woman or man, or both, accompanied the expeditions.

She said that the men of the fraternity sometimes robbed courtezans with whom they became intimate, and sometimes other women with whom they had intrigues, but added that to her knowledge most of the business was carried on by females.

Finally, this woman said she would mention parties employed in this business, both in Mirzapore and Azimghur.

The following facts are clear :—

The gangs are composed of men and women of different castes; they are not organized so thoroughly as thugs; the head people act through agents.

Other crimes are committed as well as drugging.

Cawnpore is mentioned as the head-quarters of the iniquity.

Since writing the above notes, I have been so fortunate as to secure the person of Jowala Pershad, mentioned by Brij Bussia as the head of the gang. He resides sometimes at Cawnpore, but happening to be here, I had him apprehended. I am following the matter up closely, and have given information to the different Police officers in whose districts members of the gang are said to reside.

From Captain J. T. Watson, District Superintendent of Police at Benares, to M. H. Court, Esq., Inspector-General of Police, North-Western Provinces,—No. 100, dated the 6th August 1861.

In continuation of my letter No. 98 of yesterday's date, I beg to give a further extract from my notes :—

" Brij Bussia makes the following statement implicating Jowala Pershad as an accomplice in the crime of theft by poisoning. She says Mussamut Chowrassia and I with Jowala Pershad started on an expedition of the usual nature. Chowrassia and I went on ahead. When we were about 5½ miles on the east side of Goruckpore we saw two travellers, Brahmins, coming from Mozufferpore. Chowrassia and I began to sing and look at them, and they commenced talking to us. They told us they were going to Goruckpore, and asked us to accompany them. We consented, and when it became evening we put up at a village named Koosme on the Koama Ghat road. We sat down near the door of a mistree's house, and the Brahmins gave us some pice to purchase gram (chana ?). I went and got some, and when returning I mixed some dhatoora seeds with it. The Brahmins ate and soon became insensible. Chowrassia and I then took from the Brahmins two gold mohurs, one nuth, two silver kurrahs, and we gave these things to Jowala Pershad. Shortly after, as we were about to go away, the mistree opened the door of his house, and, seeing the insensible state of the Brahmins, he beat Chowrassia with a shoe and then sent us to the thannah. Nothing was found on us, as Jowala Pershad had the property, and the Brahmins would not prosecute. They were going home to be married, and besides being ashamed of something that had passed, they did not wish to be detained on their journey,—so Chowrassia and I were let go. Jowala Pershad only gave us a new chudder each for this business. This happened about two years ago.

" Jowala Pershad was present during the narration, and admitted that he had received the stolen property, and excused himself for not having given Brij Bussia and Chowrassia their share by saying that the Rajah was the distributor of the shares of plundered property.

"This allusion to the Rajah led to further questioning, and it appears that the Rajah meant was a man called Rajah Zalim Sing, of Malwa Chuttepore, Tekaree. Jowala Pershad states that Zalim Sing was the real head of the poisoners, and that he was merely his agent; that when the Rajah died the Ranee Lulloo, his wife, carried on the business. She has now gone south of Punnah, and he says he can give her place of residence if forgiven, but he will not give up Chowrassia. The truth is, Chowrassia is still working for him; she was seen about five days ago going out of the city northwards. Her jewels are in pawn at a certain jeweller's, and she will surely return for them, and will probably make for Jowala Pershad's house. I shall have some one there to meet her."

I trust these extracts of my notes may prove useful. Though incomplete in themselves, they may furnish a missing link, or taken with other information received from different quarters, may complete a case or suggest a mode of action.

From Sir George Couper, Bart., C.B., Secretary to the Government of the North-Western Provinces, to M. H. Court, Esq., Inspector-General of Police, North-Western Provinces,—No. 957A, dated Nynee Tal, the 7th September 1861.

I have received and laid before the Lieutenant-Governor your letter No. 201, dated the 22nd ultimo, and its enclosures, regarding an organised gang of poisoners, the existence of which has been discovered by Captain Watson, the District Superintendent of Police at Benares.

2. In reply, I am to state that all your proposals for the detection and apprehension of the members of this gang are fully approved.

3. Captain Watson will conduct the investigation, and will be invested for the purpose with full powers of a Magistrate in every district which he may visit. The necessary notification will appear in the Government Gazette.

4. Remission of her sentence may be offered to Brij Bussia on condition of her giving all the information she can, and naming and pointing out every member of the gang, and every receiver of the property plundered by them; her release from confinement to take place as soon as her part of the contract is fulfilled. If she accept the offer, the Superintendent of the Central Prison will be directed to relieve her from labour, to relax any severe discipline, and to allow Captain Watson free access to her.

5. If she turn approver, you will take your own measures for protecting her from her former associates, and for providing her with the necessaries of life.

6. Captain Watson should be directed, as you suggest, to consider himself under the direction and guidance of Major Hervey, to whom he will furnish such information as he may acquire during his deputation for the investigation of this crime, and to whom he should also look for advice and instructions. He will send duplicates of his reports to you.

7. In conclusion, I am to beg you to convey the thanks of the Lieutenant-Governor to Captain Watson for the tact and ability which he has evinced in the preliminary enquiries into this important matter, and to express the Lieutanant-Governor's hope that he will still further distinguish himself by bringing the measures, to be adopted for the extripation of this gang to successful issue.

From Sir George Couper, Bart., C.B., Secretary to the Government of the North-Western Provinces, to Colonel H. M. Durand, C.B., Secretary to the Government of India, Foreign Department,—No. 753B., dated Nynee Tal, the 13th September 1862.

In continuation of previous correspondence* I am directed to forward to you, for the consideration of His Excellency the Governor General in Council, the accompanying copy of an extract (paragraphs 335 to 350) from a report from the Inspector-General of Police, No. 72A., dated the 29th May last, and paragraphs 79 to 83 of the reply thereto, and to repeat the request that the Approver System may be made applicable to the crime of "robbery by the administration of poisonous or stupefying drugs or fluids."

* Extract (paragraph 56) from a letter from General Superintendent of Operations for the Suppression of Thuggee and Dacoitee, No. 566, dated 17th July 1861.

Extract (paragraphs 4 and 5) from a letter from the Officiating Secretary to the Government of India, Foreign Department, to the General Superintendent, No. 5343, dated 10th September 1861.

To Secretary to the Government of India, Foreign Department, No. 475A., dated 11th June 1862.

Extract (paragraphs 335 to 350) from a Report from the Inspector-General of Police,—No. 72A., dated the 29th May 1862.

Para. 335.—*Thefts by poisoning.*—Twenty-eight cases only are reported, but I think there are grounds for doubting whether half the crimes committed are brought to light.

336. My attention was directed to these offences by the mysterious murders committed in Oonao, and by the fact that the features of all the cases reported to me were exactly the same, whether the crime was committed in the Meerut or in the Benares Division. This led me to infer that a system was at work, and that the poisoners were associated with each other for the commission of these crimes and worked under a defined plan.

337. In order to ascertain how far this supposition was correct, I issued an order to the Police (marginally quoted) laying down, not only the measures to be taken for the apprehension of poisoners, but, which was far more important, the enquiries to be made whenever the offender was seized.

North-Western Provinces Police Order No. 16, dated Allahabad, the 26th June 1861.

The Inspector-General of Police directs the special attention of District Superintendents to the crime of "theft" by administering poison, or deleterious drugs, to the direction contained in Circular dated 8th February, addressed to Deputy Inspectors-General for communication to them.

2. The special reports received during the last two months shew that this crime is very prevalent, and though in the majority of the cases reported loss of life has not occurred, still the offence is of serious enormity.

3. It is believed by the Inspector-General that the guilty parties are, with few exceptions, members of an organised gang, and though working probably in detached parties, still carrying on their operations on a system.

4. District Superintendents and Magistrates appear to treat each case as an individual occurrence, and under this treatment are content if proof is obtained against the party concerned in each separate case. As long as their enquiries stop at this

338. The great mistake has hitherto been made in dealing with such crimes

point, it will remain doubtful how far the criminals are connected with each other.

5. It is only in cases of the apprehension of the guilty party that opportunity is found for ascertaining whether the poisoners act individually and without connection with each other, or whether, as there is good ground for believing, they are associates in crime.

6. The Inspector-General, therefore, directs that on every occasion of the capture of a poisoner the following facts be enquired into and substantiated :—

I.—The name, caste, and residence of the prisoner, the time of leaving his village, the purpose on which it was supposed he left, and the company in which he left.

II.—The places visited by him, and whether any crimes of this nature have been committed by persons unkown in the neighbourhood of and about the time of his arrival at each place.

III.—The character and means of livelihood of the prisoner as known in his village, and the means by which he sustained himself during absence from residence.

7. A full enquiry into these points will probably elicit further facts requiring investigation, which will of course be made, and every statement made by the prisoner, which may prove false, will be carefully noted as suspicious.

8. At the close of the enquiry a full report will be made to the Inspector-General of each case, who will thereby be able to trace any link connecting the crimes committed in one with those perpetrated in other districts of the North-West, which District Superintendents cannot do.

9. The directions given in Circular of 8th February, if promptly followed, should lead to the apprehension of most of the offenders, and this result has been attained by District Superintendents who have been guided thereby. The great point is to be prompt and immediate in pursuit and by circulating to surrounding District Superintendents descriptive rolls of the offender, and by express orders to the Police of the district to summon the refugee by a general hue-and-cry.

10. Every member of the force should be distinctly informed of the value attached to immediate action, and apprised that if, notwithstanding these express injunctions, any laxity or remissness is observed, he will be removed from the force. On no account is pursuit of the offender or enquiry to be abandoned because the scene of such pursuit or enquiry is beyond the bounds of the station beat or Inspector's circle, until the enquiring officer is relieved by another equally responsible officer.

11. On every occasion, whether the offender is apprehended or not, a descriptive roll will be sent to this office for publication in the *Police Gazette*, which will, it is hoped, be provided to every Inspector. On receipt of this, District Superintendents will compare these descriptive rolls with the offenders of whom they are in search, and make such further enquiries as may be required, where doubt or suspicion exists of identity.

as *individual* occurrences. The Magistrate secured the offender on the spot, with poison and stolen property in his possession, and having such clear evidence of guilt, sent up the prisoner for trial without any further enquiry, and the usual sentence inflicted was five years' imprisonment.

339. Now these are the very cases which appeared to me the most valuable, and the only cases which enabled me to carry out the plan I had determined on,—*viz.*, to enquire into the previous habits, character, and crimes of the offender and into his present associations.

340. From enquiries made by Captain Watson acting on these orders, information was obtained of a gang of poisoners formerly under one Zalim Sing, consisting, it was said, of 300 persons, men and women.

341. Captain Watson was invested with a special commission to trace out this gang, and has secured a few of its most prominent members, and obtained the names of others.

342. In the course of his enquiries he has obtained information of two other gangs, one under a Thakoor, named Dultumun Sing; another under a Brahmin, named Nurain Doss. A woman belonging to the former gang, named Parbuttia, has placed upon record a full confession, which has been corroborated in every particular as far as enquiries have been made. From this confession there is reason to believe that

Nurain Doss's gang are the perpetrators of the Onao crimes, or at all events of some of them.

343. Altogether I have about 70 names of poisoners connected with the three gangs, and sufficient evidence to convince me that a system of "robbery by administration of poisonous drugs" is practised through the country as extensive as the system of thuggee, which the common penal law of the country will be ineffective to eradicate.

344. The most effective means of suppressing "thuggee" was by the employment of *approvers*. A thug convicted of murder or complicity therein, and after trial sentenced to death, was under the Thuggee Law admitted as an *approver* on condition of revealing all he knew of his accomplices. Execution of the sentence was deferred so long as he performed his conditions, and could not be carried out unless he broke them. If he misrepresented facts, wrongfully accused innocent men as belonging to the fraternity, or if he was proved to have concealed any crime, the sentence could then be enforced, and he, therefore, was useful as an *approver* because truthful from fear.

345. Under a Resolution of the Government of India, pardon cannot by extended to persons guilty of administering poison as *approvers*, but only as informers or Queen's evidence. The difference is very material. Under the latter condition the criminal is pardoned *before* and *without* trial, and pardon having been tendered, and its conditions partly performed, it is practically impossible to secure conviction if betrayed. Lies and truth are mixed up together, and the revelations made are never trustworthy. Further, as an *approver*, evidence given is by the Law of Evidence of greater value than when given as Queen's evidence, and very properly so, for experience has clearly shewn that the former is trustworthy, while the latter is not.

346. Conditional pardon to a criminal as an *informer* does very well for *individual* offences, but not for the suppression of a *system*, or for the apprehension and conviction of men belonging to associations for the commission of a crime on a systematised plan, and where the crimes committed are more than singular, as is the case in "robbery by administration of poison." That this crime is so committed there is ample evidence. Captan Watson has confessions corroborating each other and supported by evidence, and all the confessors commence their tale by stating, "I am a 'thug' and a member of a gang of 'thugs.' Our profession is to give drugs and plunder, and although the professed object is not to destroy life, still death very frequently occurs." Life depends not on the poison administered, but on other circumstances,—on the state of health or constitutional strength of the victim, whether given on an empty stomach, and various other circumstances beyond the consideration or judgment of the poisoner. In one case of last year's occurrence, the poisoner partook of a small quantity of adulterated food to avert suspicion. The victim becoming insensible was plundered by the poisoner, who was found dead a mile off with the plunder on his person, he having died from the effects of the smaller quantity of the poison which he had eaten, whilst his victim ultimately recovered.

347. Under Section 328 of the Penal Code, Act XLV of 1860, the severest penalty for this offence is imprisonment for ten years.

348. This is quite insufficient to suppress the crime, which should in every case be visited with sentence of a capital punishment. The members of associations for the commission of "robbery" by administration of drugs which endanger life, which are destructive of life, and from which recovery may or may not ensue, and from the administration of which death does frequently follow, are certainly more heinous offenders than those guilty of "voluntarily causing grievous hurt" by dangerous weapons or means which under Section 326 of the same Code are punishable by transportation for life.

349. A law is further necessary for the regulation of the sale or possession of deleterious drugs. In no less than four cases enquired into by the Police have the associates of men detected in administering "dhatoora" been found with "dhatoora" in their possession, under circumstances which left no doubt of the purpose for which they had this poison; but who are not amenable to any law for such possession. Arsenic, dhatoora, khureearee, and other poisons are freely bought and sold, and unless a restraint is imposed by law on their sale, and on possession of these and other drugs, insecurity to life and property must follow.

350. I mentioned in my first remark my belief that the number of crimes by administration of poison were not known. I founded this opinion on the information given by pardoned informers. Brij Bussia, a convicted poisoner, narrated numerous instances where victims had been poisoned, and their bodies thrown into the river without the Police obtaining knowledge of the crime, and all the others have confessed to crimes which have not appeared in the reports or statistics of crime. The victims are invariably travellers who are not missed, and of whose disappearance no information is received. The crime is almost invariably committed in some spot where discovery of its commission is difficult, and I am positive that the informations we do receive are of those cases where the victims survive; that we do not hear of many cases where death ensues, but where no one *is concerned* for the murder, which is easily concealed by floating the body in the river.

Extract (paragraphs 79 to 83) of a letter from Secretary to the Government of the North-Western Provinces, to the Inspector-General of Police, North-Western Provinces,—No. 753A., dated the 13th September 1862.

Para. 79.—The crime of "theft by the administration of poisonous or stupefying drugs" has been the subject of separate correspondence during the year, and the result of it was the deputation of Captain Watson, the District Superintendent of Benares, to make detailed enquiries as to the supposed existence of an organised system, and of gangs of professional poisoners. Captain Watson's final report has not been received, but the one important fact has been established beyond a doubt that a "system of robbery by administration of poisonous drugs is practised throughout the country" by gangs who follow it as a profession, and who have their connections and associations in all quarters.

80. No crime can be more hateful. It has not its origin in passion, jealousy, hatred, or revenge. It has for its object the unlawful acquisition of property by means which, though always endangering, and not

infrequently destroying life, are used with a cold-blooded deliberation and indifference as to consequences, which distinguishes its perpetrators as among the very worst and most dangerous of criminals.

81. It was in this view of the heinousness of the crime, as well as of the fact, regarded as proved, that it is practised, as a system like thuggee, by bands widely connected and associated; that in June last an application formally made to the Government of India, at the instance of the General Superintendent, Thuggee and Dacoitee, for the extension of the *Approver* System to this class of crime, was revised, and reply is still awaited. It is the Lieutenant-Governor's conviction that by no other measure will this organised crime be suppressed. It was fully successful in the case of thuggee when every other means had failed, and there is no crime which so closely resembles thuggee as this in all its chief features. The object of both is the same; both are characterised by the same shocking disregard of human life; both have professional followers; both have ramifications in nearly all quarters of the country. The only difference is that, whereas in the one case the handkerchief was used, in the other a drug, which certainly endangers and may destroy life, is employed.

82. The Lieutenant-Governor fully concurs in the remarks which paragraphs 344 to 346 of your report contain, as well as in your opinion regarding the inadequacy of the punishment prescribed by Section 328 of the Penal Code for the offence under consideration.

83. There is an Act of the Legislature in existence for regulating the sale and possession of poisonous drugs, but it is current only in the presidency towns. An application which was made to the Government of India for its extension some time ago was negatived, and it will not probably be received with more favour now. But in continuation of the correspondence which has passed, an extract (paragraphs 335 to 350) from your report, and copies of the foregoing remarks (paragraphs 80 to 83) will be laid before the Government of India for consideration, and with the request repeated that, at least, the Approver System may be made applicable to the crime of " robbery by the administration of poisonous or stupefying drugs or fluids."

From Sir George Couper, Bart., C.B., Secretary to the Government of the North-Western Provinces, to E. C. Bayley, Esq., Secretary to the Government of India,—No. 849A., dated Nynee Tal, the 20th October 1862.

I am directed to transmit, for the consideration of His Excellency the Governor General in Council, in connection with the correspondence noted in the margin, the accompanying copies of letters Nos. 475A. and 487A., dated, respectively, the 19th and 23rd ultimo, from the Inspector-General of Police in these Provinces, and of their enclosures, from Captain J. T. Watson, Magistrate on special duty, and from Major T. H. Chamberlain,

Extract (paragraph 56) of letter from General Superintendent of Operations for the suppression of Thuggee and Dacoitee, to the Secretary to the Government of India in the Foreign Department, No. 566, dated 17th July 1861.

Extract (paragraphs 4 and 5) of letter from Secretary to the Government of India in the Foreign Department, to the General Superintendent of Operations for the suppression of Thuggee and Dacoitee, No. 5343, dated 10th September 1861.

* Letter from Secretary to the Government of the North-Western Provinces, to the Secretary to the Government of India in the Foreign Department, No. 475A., dated the 11th June 1862.

† Letter from ditto to ditto, No. 753B., dated the 13th September 1862.

Assistant General Superintendent of Operations for the suppression of Thuggee and Dacoitee.

2. The first of these letters forwards a report by Captain Watson of his enquiries regarding the crime of theft by the administration of poisonous or stupefying drugs, and their result.

3. This duty was committed to Captain Watson last year, and he was furnished with a special commission for the purpose. He has exhibited great zeal, intelligence, and perseverance in the prosecution of the investigation; and though his success has not been all that could have been desired, he has still, the Lieutenant-Governor thinks, established beyond a doubt the fact that the crime under notice is committed systematically and professionally by organised bands in wide association.

4. The fact recorded in Captain Watson's report, and the Inspector-General's pertinent remarks thereon, fully confirm the opinion which His Honor has but recently expressed (in reviewing the Police Report of the North-Western Provinces for 1861, extracts, paragraphs 335 to 350, from which, together with paragraphs 79 to 83 from the reply thereto, have been forwarded with my letter No. 753B., dated 13th ultimo, above cited), *viz.*, that this crime is, in all its main features, the very counterpart of "Thuggee," the only distinctions being in the use of different instruments for accomplishing theft; and in the fact that, whereas the "Thugs" designed and intended to take life by the handkerchief, these poisoners, without the desire to take life, do very often destroy and always endanger it by the administration of highly deleterious drugs.

5. And now very opportunely, just as Captain Watson's enquiries are stayed by the decision of the Sudder Court, casting discredit on the confessions of certain persons apprehended by him as members of poisoning gangs, is submitted Major Chamberlain's report with the deposition of one Hurpershad, under cover of Mr. Court's letter No. 487A., dated the 23rd ultimo. Here is a detailed account, gathered from other sources than those accessible to Captain Watson "of the wandering gang which went all over Oudh and the North-Western Provinces during the cold seasons of 1860-61 and 1861-62, drugging hackery-drivers and robbing them of their vehicles and cattle whilst insensible from the effects of 'dhatoora' administered in their food." In the narrative which is given by this Hurpershad of one journey out of three or more accomplished, there is enough to prove that there exists "the *profession* of poisoning by dhatoora" with the object of committing theft; that the offence is committed by associated gangs who, like the thugs of old, have a horoscope drawn before they start on their expeditions; who, though not intending to kill, are utterly indifferent whether death results from their act or not ["I do not know," says Hurpershad, "whether any of my victims died: God only knows"], and who have hitherto carried on their vile trade with impunity, because no means have been at hand of discovering and breaking up the associations.

6. It will be seen from the correspondence cited in the margin of the 1st paragraph of this letter, that on three occasions the attention of the

* Printed at page 13. † Printed at page 22.

Government of India has been invited to this crime with a view to special legislation or action of some kind; and that the Lieutenant-Governor has always expressed his opinion that it is perpetrated by gangs of professional poisoners, and his belief that no measure, short of that which was applied to the extirpation of Thuggee, will suffice to suppress this system of theft by administration of poisonous or stupefying drugs.

7. His Honor, therefore, hopes that, for the suppression of this serious and exceptional crime, the exceptional measures which have been so frequently recommended may be sanctioned.

Extract (paragraph 56) from a letter from MAJOR CHARLES HERVEY, General Superintendent of the Operations for the suppression of Thuggee and Dacoitee, to the Secretary to the Government of India, Foreign Department,—No. 566, dated the 17th July 1861.

The crime of Dhatoora Thuggee generally considered with reference to Act XXIX of 1850.

Para. 56.—It is necessary, however, otherwise to consider that of "dhatoora thuggee," the departmental definition of the crime of robbery by the administration of deleterious drugs, and I feel myself called upon to enter somewhat fully into a review thereof in continuation of my various allusions to it already submitted in the present despatch,* although it should be at the risk of prolonging this already lengthened report. The subject is, however, of importance, and may not be too cursorily glanced at.

* Paragraphs 6, 10, 18, 19, 29, 33, 41, and 50.

Impressed that the most strenuous efforts were called for to check a crime from which so many of our subjects suffered, that very little had hitherto been effected in revealing the mysterious operations of the persons who practised it. and that a thorough and successful investigation of the atrocity would prove an undertaking of public importance, it had long been my aim that the operations against these very dangerous offenders should be regularly and systematically taken up by the Thuggee Department. There were many obstacles, however, arising from the state of the law to this being efficiently done—obstacles which, in another place in other territory, I had endeavoured to overcome, and which, it may appear to the Right Honorable the Governor-General of India in Council, on a perusal of the papers submitted under paragraph 18 of this report, ought to be altogether removed, if it should be desired to direct any effectual blow against this now daily increasing evil. I allude to Act XXIX of 1850, the territorial scope of which I would advocate should be extended to all India, and to the absence of any law making it *penal* to be in the possession of poisonous drugs or substances. The subject will be found *in extenso* in my letter† to the Secretary to the Government of the North-Western Provinces. By Act III of 1848 it was defined that cases of robbery by means which were known by the offenders to be likely to cause the death of persons should be regarded as cases of thuggee, and be punishable accordingly under the provisions of the several special Acts against thuggee properly so called, of which the above Act was in continuation. But it was necessary that such cases should be cases of *professional* robbery, or, in other words, of "professional poisoning," by which to bring them within the meaning and application of those Acts, for the prevention of professional thuggee. But by Act XXIX of 1850

† No. 751, dated the 24th of September 1860.

(to amend Act XXXI of 1838 for the prevention of poisoning) it was enacted that whoever should wilfully administer any poison or any deleterious drug or noxious thing, with the intent to cause bodily harm, or to commit or abet the commission of any unlawful act, should be liable to be transported for life, or for some limited period, or to be imprisoned; also that in any case in which a person charged with administering the poisonous or destructive thing, with the intent to commit murder, and the offence proved amounted only to an offence under the Act quoted, he might be sentenced as if he had been charged with an offence under it. Such an Act would meet in a more comprehensive manner the exigency of the occasion than any mofussil or other existing law against such criminals; for it would include within its provisions every person, *without reference to profession*, who committed or attempted to commit crime, whatever its nature, by means known to cause stupefaction or death; and such a law may, in the opinion of the Government of India, be altogether required in a country throughout which the crime of poisoning had become so rife as this report would shew to be the case, the perpetrators, however, of which had hitherto, in the generality of instances, escaped unpunished, although death had often been the fatal result of the offence. The said Act, however, with reference to the law (XXXI of 1838) with which it is connected, is limited as to scope to the jurisdictions of the several Supreme Courts of Judicature at the three presidency towns; and my earnest proposal is that its provisions should be extended or be made applicable to the *whole of British India*. If to the amendment proposed were added a clause making it a penal offence to be found in the possession of any deleterious drug or poison, except in the case of persons licensed to vend them, or of native medical practitioners licensed to purchase them for medical purposes, the licenses in either case to specify the drugs implied, such a prohibition would at least have the effect of preventing a ready use of such things for felonious or unlawful designs. The unrestricted freedom with which poisons, both vegetable and mineral, are procurable in every bazar; the knowledge that the presence in the human body of vegetable matters cannot be detected by any known process of analysis which has led those ingredients to be more usually resorted to than any other for criminal purposes; the fact that the poison most used, *dhatoora,* grows luxuriantly in jungle or in garden, that it is a tasteless drug *"as certainly and as rapidly fatal in its effects as opium,"* and is a poison in the strongest sense of the word, dependent for its fatal effect on the quantity administered; and that the narcotics, *churrus, bhang, ganjah,* and *majoom,* with which persons are also frequently drugged for evil purposes, are preparations from the hemp plant (*Cannabis Indica*), which is as easily to be obtained everywhere; "the reckless indifference with which native dealers vend their poisonous wares," together with the fact that the crime of poisoning exists throughout British India; that it is perpetrated with impunity and is at this moment the greatest evil with which the country is afflicted,—poisoners being as numerous in the Madras and Bombay territories as in the Punjab and North-Western Provinces, in Bengal and the Native States,—would all, I most respectfully submit, shew the necessity for a penal clause of the nature advocated; the introduction of which, moreover, would be equally efficacious for its particular purpose as the Disarming Act and Act

against the possession of gunpowder, saltpetre, and sulphur may be said to be for meeting the exigencies for which they were evoked. It would be productive also of a great benefit if happily it should at the same time serve to check in some degree the very prevalent crime of procuring abortions.

In regard to the extension of the scope of the Act above quoted for the prevention of poisoning, the Government of Bombay, although at first for some time opposed to any change in the existing mofussil law, was subsequently pleased to declare, upon the remonstrances I felt it my duty to urge, that it was "unable to discover any reason why Act XXIX of 1850 should not be made a general Act," and to advocate also the introduction of the penal clause I have above proposed.

Paragraphs 3 to 10 of a letter to the Registrar of the Bombay Sudder Adawlut, No. 1508, dated the 3rd June 1858.

Government will readily appreciate the difficulty this Department, or in its place the Police, must contend with in any combined effort for the suppression of this formidable evil, if the criminals detected should be inadequately punished, of which the instance quoted in paragraph 50 of this report is an example. The crime is committed by small isolated parties, generally altogether unconnected with each other. My predecessor, whenever alluding to them in his report to Government, has ever designated them as desultory offenders, depredating independently of each other. The only persons known to practise the crime professionally were some Parsees and Vior Chumars, both low-caste Hindoo tribes. But according to the information now possessed, the crime is resorted to, not as a distinct profession, but as a ready means of robbery by every description of *budmash*, or loose character of every creed and denomination, not particular how they acquired what they desired to appropriate, and ready to undertake any act of villany, "to aid in a dacoitee, to serve as a *lattial* in a zemindaree quarrel, to assist in a strangling, or some other act of secret butchery," or to lurk upon the road with poison ready "for the first unwary traveller." They do not, in as much is known of them, form any thug association, nor has any circumstance as yet transpired to identify them (except the cases I have before spoken of in the Punjab) with the *true thugs*. I have at this moment before me a budmash recently arrested, who has committed murders with sword, with bludgeon, by poison, by strangling, or in any way the opportunity and the means at hand prompted. He was a "Gentleman of the Road," like the associates he had picked up, assuming various disguises, as the occasion required. It may easily be supposed that where the spectacle was once offered of the impunity with which poisoners escaped and the rare instances of their detection, added to the ease with which the deadly drugs were procurable, the crime would readily be followed by the numerous objects who in this country so successfully preyed upon the community, and were ready to turn their hands to any act of villany. The practice of empoisonment would thus be speedily taken up by them without their necessarily forming any *general confederacy* for the purpose. It has been observed that where crime was the lesson taught, it rarely failed to happen that the common people should in no way be behind in resorting to it. It was Sir William Sleeman's opinion, however, that the design of these poisoners almost always was to destroy life. But subsequent experience has convinced me that their intention generally

only is to commit robbery while their victims should be in a state of insensibility from the effects of the drug or poison administered; that the quantity administered is given at a hazard according to the practitioner's individual idea of the sense-retaining faculty of the person to be practised upon, and that the unfortunate man is left to recover or die, as the chance may be. Owing to the crime being committed by only small gangs who did not act in concert with each other, and by both sexes, it was my late predecessor's opinion that the Approver System could not be brought to bear upon them with any effect, and that the suppression of the evil should be left to the local Police, but I am otherwise impressed. I consider that the crime has gained that head that no effort should be left untried for putting down an evil of so frightful a magnitude. It is true that Sir William Sleeman had also recorded that the system which had enabled us to put down the thug associations could not be applied with any fair prospect of success to the suppression of these particular criminals. He said that while the gangs of thugs were large and constantly united in the perpetration of their terrible vocation, and only required a few of the accomplices for the detection and prosecution of the whole body, the gangs of poisoners were on the contrary very small, and being rarely associated with each other would necessitate the admission as approvers of two or perhaps a third man out of each gang for the conviction of but a few others. The force of this is to be admitted when considered with reference to the readier and least expensive method of suppressing a large body of men by the evidence of the smallest number of accomplices. But if, as I cannot but believe, Government should not object under so dire a necessity to subsist a larger body of approvers than usual, it is no argument against the adoption of the Approver System for the same effectual suppression of a crime, the continued prevalence of which might otherwise be, in the words of His Honor the Lieutenant-Governor of the North-Western Provinces, an approbrium to our rule. Even should the system serve to rid the society of its pests by small instalments only, a good deal would still be attained, for it may reasonably be inferred that the example in succession of the fate of each body of them, however small its number, would certainly conduce, at no very remote period, to deter the many in the continued reckless career of a crime which they should perceive was so steadily and surely followed up by the punishment it evoked. The great difficulty, in my own apprehension, only is *the state of the law for the sufficient punishment of the miscreants, and for a successful adoption of the Approver System for their effectual suppression.* It will be plain to the understanding of His Lordship in Council that an accomplice whose evidence it should be desirable to secure as a Government approver, would not, when under sentence of imprisonment for a short or limited period only, with the prospect of eventual restoration to liberty, give the same evidence as that man who should have been sentenced to death or to transportation for life with no such prospect before him. The experience of this Department is that the evidence of the former is, as a general rule, given with reservation. He has not much to lose or to be

To the Secretary to the Government of India, No. 11, dated the 7th April 1854, paragraph 9.

afraid of by withholding his evidence or by accusing innocent persons, and he need not fear the detection he is liable to, however sure the process. But the life-sentenced approver has everything to lose and to be afraid of. When detected in giving false or partial evidence, which generally he is sure to be, his conditional pardon is revoked, the sentence hitherto held in abeyance is carried out, and he reverts to the punishment from which he had escaped only so long as he had chosen to speak the truth. The existing law against poisoning does not procure that sentence of extreme or the last punishment, and except it should do so, these criminals must continue to flourish, for they can seldom be detected in the very act. The poisons administered are found in the jungles or on the roadside. Only one person administers the dose, and he does so generally in the most guarded disguise. His associates remain in the background, and only appear on the scene when insensibility has been the too certain result. If the victims do not die, they recover but slowly. Stupefaction has been their condition for a long time, perhaps for days, and they awake to consciousness in bewilderment. Every opportunity has been afforded for the escape of the criminals. Or should they be arrested, how should they, except on extraordinary occasions, be recognised by persons but just escaped from the jaws of death and awaken to life but to learn that a near relative or dear friend but now their cherished and beloved companion sleeps in death at the hands of the very ruffians from whom they had themselves so narrowly escaped? Nearly deprived of life, robbed of their all, perhaps reduced to beggary, and in deep affliction, little dependence could be placed for reliable evidence from such stricken persons. *The impunity of the culprits is the almost sure result*. It is on these grounds that I would earnestly urge an alteration in the law. A most experienced Government officer, the late Mr. Dampier, submitted his deliberate opinion that a heavier punishment should always be given to this class of offenders. "He would never," he said, "*give less than imprisonment for life*, as such men should (like the thugs) not be allowed again to be at large to the injury of the community. That death does not ensue in every case is not the fault of the *meetawallahs* (as Mr. Dampier designated the criminals) administering the drug in food or water; it arises from the merest chances,—whether the stomach of the receiver is full or empty, the victim robust or weak, or upon the quantity of mixed food swallowed before the effect of the drug appears; and it is, I think, a mistake to charge this class of miscreants with administering intoxicating drugs when the parties recover, when *they* are always poisonous drugs dependent for their fatal effect on the quantity which the victim may swallow, or other circumstances, not on any designed will of the administerer."

Police Report for Bengal, 1841.

Extract (paragraphs 4 and 5) from a letter from the Officiating Secretary to the Government of India, Foreign Department, to the address of the General Superintendent,—(No. 5343, dated the 10th September 1861.

Para. 4.—In paragraph 56 of your report you state that, under the existing Law, the Thuggee Department have difficulty in dealing with the crime of poisoning and robbery by administering poisonous

drugs, which is extensively practised all over India; and you therefore recommend that Act XXIX of 1850, which is at present limited only to the jurisdiction of the Supreme Courts of the presidency towns, should be extended to all India. His Excellency in Council, however, does not think it necessary to act on your suggestion in this respect, as the case seems to be fully met by clause 328 of the new Penal Code; neither can His Excellency in Council consent to your proposal that the possession of poisonous drugs without a license should be made penal.

5. You further propose that the Approver System should be followed in the Thuggee Department with reference to cases of poisoning. The Governor-General in Council, however, does not concur in your views of the expediency of this proposal. There is a vast difference between the mode in which the crime of poisoning is practised and the crime of thuggee by strangulation, which, although happily now almost extinct, was formerly committed by organised bands having ramifications through all India, and to the detection of which the only clue was to be obtained from the evidence of approvers taken independently in different parts of the country, and recorded without reference to its immediate application in any individual case.

From M. H. COURT, ESQ., Inspector-General of Police, North-Western Provinces, to SIR GEORGE COUPER, Bart., and C.B., Secretary to the Government of the North-Western Provinces,—No. 475A., dated Nynee Tal, the 19th September 1862.

I have the honor to forward herewith, and in original, Captain Watson's report of his proceedings under the commission given him, with the papers enumerated in the margin. This report has been submitted by Captain Watson in the belief that he is unable to obtain more information of the gangs that are undoubtedly at work in consequence of the order of the Government of India, directing that, in cases of thuggee by administration of poisonous drugs evidence of accomplices may be obtained by offer of conditional pardon, but not from condemned offenders as *approvers*, and in consequence of the retractation of the confessions or informations obtained consequent on this order, and the release by the Sudder Nizamut of four persons twice convicted by the Judge of Benares of murder and thuggee, who were first arraigned on the informations given by these women, on the belief that they would become *approvers*.

From Captain Watson, No. 49, dated the 17th of July 1862.
From Captain Watson, No. 50, dated the 21st of July 1862.
Translation of confession by Mussamut Chowrassia.
Translation of confession by Mussamut Purtabna.
Questions by Inspector-General, and replies thereto by Captain Watson.
Copy of judgment of Sudder Nizamut Adawlut in case of Government *v.* Rudduah and others.

2. Captain Watson's duties as Superintendent of the Benares Police do not, moreover, admit of his giving the time that should be devoted to enquiries so important as these, and he therefore hopes the commission given him may cease to have effect.

3. In paragraphs 344, 345, and 346 of my annual report for the past year, I attempted to shew the difference between a *pardoned* offender and an approver;—to shew that the evidence of a pardoned

accomplice may be valuable against the perpetrators of an *individual* crime, but not against the members of associations for the commission of crimes such as thuggee, whether by further administration of poison, or by strangulation, many of whom are at large, and some of whom may not even be known to the informer, who nevertheless becomes hateful to all. To give information against a gang is in simple truth equivalent to a sentence of death, and unless the informer is kept in custody, and under the protection of a jail, reliable information will never be given by accomplices in secret systematical crime.

4. Captain Chamberlain, Assistant to the Commissioner for the suppression of Thuggee and Dacoitee, who has had great practical experience in these matters, writes to me as follows :—

"I am quite of accord with you as to the *necesssity* of having the *Approver* System and the *feebleness of our measures* otherwise. I believe, too, that the same axiom applies to poisoners as it did to the regular strangler thugs—'once a thug always a thug.'

"The *best* of the confessing prisoners always *will* tell a certain amount of falsehood, and Major Hervey urged the Approver System on Government, I think, without leaving an argument unused to prove its desirability."—(Extract from demi-official letter dated the 12th of May 1862.)

5. Captain Watson has been discouraged by discovering that the informations given to him are full of falsehoods; that although some of the crimes related have in reality occurred, of others no information or corroborating proof can be found; and in some cases there is good reason to believe that crimes have been fabricated from motives of enmity. Nothing else can be expected from persons *under* trial or from pardoned offenders. Friends will be sheltered, and to make up the full tale and supply deficiencies stories will be invented. The idea is seized that the narrating of a long series of crimes will lead to escape from the penalties, if any, in which the former was concerned. The whole truth is not told in those that are fundamentally true, either from doubt as to ultimate pardon or punishment, and from fear of the consequences to the informer on full details being given; from fear of vengeance of accomplices denounced; from desire to screen some favourite amongst the criminals, or other motives;—whereas an approver *dare* not tell a lie. He is a convicted offender, under reprieve of sentence conditional on his telling the truth, whole truth, and nothing but the truth. He has nothing to fear from telling the truth; everything to fear from false denunciation. And although it may be necessary to put him in constant remembrance of the conditions of reprieve, it has been found that the evidence or information given by these is truthful, corroborated by facts elicited on further local enquiry; and consequently, on being tested, finds value in a court of justice.

6. Although Captain Watson has not succeeded in discovering or arresting the men composing Zalim Sing's or any other gang, I think he has succeeded in collecting most valuable information; that he has established the fact that robbery by administration of poison, both with murder or without, is a crime committed by associations of criminals, working under acknowledged leaders in particular spheres. The informations forwarded by Captain Watson, others lately obtained by Captain Chamberlain, concord in establishing this supposition, and the strikingly exact similarity of circumstances attending the crimes committed in the same sphere or tract of country affords, in my mind, the most convincing, though collateral, proof in support of this theory.

7. Although there is no doubt but that Chowrassia's confession is full of lies (most probably the crimes detailed did occur, though in other localities), still a little examination will shew that these confessions contain much truth, and that where they differ the variation is such only as to testify to the truth of the story as a whole.

8. I will take the robbery said to have been committed at Koosmye in the Goruckpore District. I select it because it is detailed by both, is said by both to have been committed under the direction of Zalim Sing, by whom the plunder was received.

9. It must be remembered that when Brij Bussia made her confession, Chowrassia was not known. It was not until February, or six months after, that she was apprehended; she was not then aware of the nature of the confession made by Brij Bussia. Her narrative is chiefly of crimes committed by a second gang under Dultummun Sing, and her connection with Zalim Sing was, according to her confession, of very short duration. But she relates the same crime that had been related six months before by Brij Bussia, and it is an improbability amounting almost to an impossibility that the main points of the story should be at variance with truth.

Brij Bussia's narrative taken on the 16th of October.

After release from imprisonment for theft, I went to Seotone Ramnugger and made the acquaintance of two men named Jugger Nauth and Jowala Pershad; these persons told me that they were the servants of a Rajah Zalim Sing, and that they were looking out for a female servant for his Ranee. I went with them to the Rajah's house and obtained service. The day I obtained service the Rajah set out for Nepal, and remained there a year. In our company was a woman named Chowrassia (whose statement is opposite) as well as the Ranee Lulloo, and another female named Budmeyan, of the Kahar caste; and three men, whose names were Ramdyal Sing, Seelato Sing, and Jowahir Sing, besides the above-named Jowala Pershad and Jugger Nauth and Seo Bux Kahar, and some ten men besides, whose names I cannot remember.

"After residing in Nepal we returned to Goruckpore, and lived in the city for two months. It was about this time that I and Chowrassia were sent to drug persons with dhatoora, and we were both directed to do this by the Rajah and Ranee, who explained that they were in want of money. At a place called Koashoomlye (properly Koosbye, *vide* Captain Watson's marginal note), we got into company with two travellers, and after a time we gave them dhatoora in their food, and robbed them of two gold mohurs. A *mistree*, who lived near the scene of this occurrence, discovered us, and having beaten us, gave us into custody and sent us to the chowkee of Peiraj. Here the travellers compounded the affair, and the Police let us go. We gave the plunder to

Mussamut Chowrassia's narrative taken on the 12th of February.

In the month of February, four years ago, a servant named Badmyan Kahar, and another of the same caste, whose name I do not now remember, came to me from Goruckpore, and said that the Rajah wanted me. I went with them to Goruckpore to Rajah Zalim Sing. He and Lulloo his Ranee told me and Mussamut Brij Bussia, "Go and poison people, get some money, and you shall be rewarded;" so I and Brij Bussia started from Goruckpore for a nuddee about four or five miles to the east of Goruckpore. It was 12 o'clock in the day when we halted at the nuddee (in which there was water) for the purpose of eating our parched grain. Two Hindoo travellers came up and commenced laughing and joking with us, and said to us, "Think about something to eat and drink." Brij Bussia then said, "We have already eaten; but if you require anything give me some pice and I'll get you some food. I will afterwards accompany you, as I have got no master." They gave her three annas and told her to bring cheera and dahee. Brij Bussia and I went to the bazar, three or four beegahs away from the place; we purchased cheera for half the money and dahee and buttermilk with the other half. Brij Bussia washed the cheera in water, and mixed the dahee and buttermilk with it, into which we put the dhatoora and the khurreearees. Both the travellers partook of it, and two hours afterwards became insensible from the effects. We took the gold mohurs which were suspended from the necks of the travellers. This was witnessed by a person whose name and caste I do not know, and by a village chowkeedar,

Brij Bussia's narrative taken on the 16th of October—contd.

Jowala Pershad, according to the orders received from the Rajah. This happened four years ago.

Mussamut Chowrassia's narrative taken on the 12th of November—contd.

whose name is also unknown to me. They came running up, and beating us with shoes, effected our apprehension. They took us to the thannah of the village, which I do not know. When the travellers came to their senses they said that they had lost nothing and brought no charge against us, that they were satisfied, and were going on to get married. We were then released, and went with the gold mohurs to Rajah Zalim Sing, and gave them up to him.

10. It is not possible to doubt but that these two women were engaged in this offence of which their confessions agree in all its prominent features. Captain Watson made a personal enquiry in the village which Chowrassia pointed out, and found out that the crime had really occurred, although Brij Bussia was declared to have been alone in the commission. The two travellers could not of course be found, and it is not surprising that the information gathered in the village after the lapse of four years, and having reference to a crime concealed and hushed up at the first, should be somewhat at variance with the accounts given by those concerned.

11. I now consider how far Captain Watson's enquiries lead to the belief of the existence, at a former period, of an organised gang under *pseudo*-Rajah Zalim Sing.

12. Both Brij Bussia and Chowrassia (who was named by Brij Bussia) state that they were employed by Zalim Sing and his wife, known as the Ranee Lulloo, to commit robberies by the administration of dhatoora and khurreearee (the latter is, I believe, a preparation from the root of the *Nerum odoratum* or sweet-scented oleander, the medicinal properties of which are described in the new *Indian Gardener* as follows: *The bark of the root and leaves externally applied are by native doctors considered repellants, the root taken internally being poisonous.*)

13. As I have attempted to shew above, their stories vary in minor matters, but tally so exactly in more prominent points as to convince one of their reality. The very discrepancies testify to truth, and shew that (as was the case) neither had opportunity to make up a fabricated tale in concert with the other.

14. Both name Zalim Sing as their employer; both assert that he was the head of a gang, that he died, and his wife Lulloo absconded. Both agree in denouncing one or two persons, *i. e.*, Budmyan, Kaharin, Rudduah; though Chowrassia names some Brij Bussia does not mention, and *vice versâ*.

Amongst the persons denounced by Brij Bussia were two women, Rudduah of Ramnuggur, and a servant of hers named Soomerkhee, a prostitute, "poisoners by trade."

16. Subsequent enquiries proved that here again her story was true.

17. Both were apprehended. In Rudduah's house a large quantity of dhatoora, khurreearee, arsenic, and other poisons were found, both in the raw and in a prepared state. Soomerkhee, on being apprehended, and on being confronted with Brij Bussia, made a clean confession of her crimes, declaring that Rudduah was the employer of Bilassee and

Parbuttee, prostitutes, being in the Dal Hurdoee Mohullah, who destroyed by poison those decoyed into the brothel and then plundered their property. The case of later occurrence she particularly related, *viz.*, the murder of one Juggut whom she had herself enticed to the house, detailing, amongst other circumstances, the following facts: That a separate room was required for her and deceased, and that Bilassee had accordingly removed a young girl named Moonya and sent her upstairs; that after giving him khurreearee he vomited considerably and died; that his body was thrown into the Ganges by body-carriers hired by Bilassee with the aid of Gunesh Pershad, who frequented the house and was intimately associated in these crimes, and that in consequence of the vomiting the floor had to be replastered.

18. The house indicated was immediately examined, and this was found to be correct. On removing the plaster filth was found, which Bilassee and Parbuttee explained was in consequence of a visitor having been ill with dysentery.

19. The crime having been detected, further evidence was obtained. Moonya, the girl, said that Soomerkhee brought a man to the house; that she was sent upstairs, where she was locked up until the third day. On returning the third day she found her room fresh plastered.

20. Lahoree, a servant in the brothel, deposed to the arrival of the traveller with Soomerkhee; that the door was opened by Moonya as she was ill; that Moonya was locked up for three days to prevent her going to her room, and that she had replastered the floor to conceal the *froth* that was on it. She acknowledged first to having been told of the murder, and on further questioning to having seen the body removed.

21. Lukhputteea, the mother of Moonya, who was living with Rudduah, gave unwilling evidence to the return of Soomerkhee to Rudduah, and to the receipt by the latter of 50 rupees.

22. The disclosure here made caused considerable excitement and horror in the city of Benares. Soomerkhee was first taken as Queen's evidence against her associates, and after a long trial Rudduah, Bilassee, and Parbuttee were condemned by the Sessions Judge and the Assessors, and sentence of death passed. The trial was quashed by the Judges of the Sudder Nizamut on the ground that Mussamut Soomerkhee had not been made an approver in the manner laid down for the Thuggee Department, and they remarked that she should have been tried on her own confession. If this confession were supported by collateral and corroborative evidence, she should be convicted on it, sentenced, and her sentence forwarded to the Sudder Court for confirmation. This was done; she was sentenced to death for the murder of Juggut, as all the details of her confession had been most fully corroborated. Her sentence was commuted to imprisonment for life.

23. The prisoners Rudduah, &c., were again brought to trial, having been again convicted by another officer as judge and by another jury. They have, however, been released by the Sudder Court on the ground that there is no proof that Juggut was ever murdered (though they have sentenced Soomerkhee for the murder), and because they discredit the witnesses, who are of infamous character and profession.

24. It was not to be expected that other than persons of infamou habits would be found cognizant of scenes such as these, or of murders committed inside a brothel; but it appears that it was forgotten thas

these witnesses gave most unwilling evidence; in fact, they would have given no information at all had not the crime been brought home too close to them to be pleasant. It is certain they would not, and did not, tell a word more than they could help, and the strong collateral and corroborative evidence against Rudduah, by the finding in her house of the very poisons which Soomerkhee alleged were used in destroying her victims, was entirely overlooked, or at all events escaped mention on the grounds recorded for the release of the prisoners.

25. However, it is not my part to comment upon this judgment, and it would be useless to do so. The effect of it has, however, been to effectually close the door of information against us. Chowrassia is now doggedly silent, and retracts every word of the confession made by her to Captain Watson.

26. The reason of this is sufficiently self-evident. She *dare* not give information of a gang many of whose members are unknown to her by name, and of whom the members she did and can name are at large. To do so would be almost certain death to her so soon as at large and beyond the protection afforded by a jail, which must follow upon the pardon, conditional or otherwise, of any criminal.

27. To return, however, to Zalim Sing's gang. I have before stated both Brij Bussia and Chowrassia assert they were employed by him, that he was at the head of a gang of poisoners. The truth of their story is corroborated by the agreements in, as well as by the very discrepancies of, their statements, by the fact that Soomerkhee and Rudduah denounced by them were found to be followers of this profession in its worst form.

28. I will now see how far this is likely to be true from the character, habits, or associates of the men denounced.

29. Regarding Zalim Sing and the Ranee Lulloo, Captain Watson writes as follows :—

"I traced Zalim Sing from one house in which he had resided to another, and found that he had changed his residence three times. I took the depositions of his different landholders, and I ascertained from them that the *pseudo*-Rajah was undoubtedly a loose character, and that he was in daily intercourse with suspicious-looking persons; and one landlord, by name Mulloo Mull, of the Lahoree Tolah, stated that a robbery which took place was, he believes, committed with the connivance of the Ranee Lulloo, and that he even accused her of the theft, and that the next day she fled. This happened a few days after the death of Zalim Sing. Another of the landlords named Munnah Lall turned him out, as he could not stand the coming and going of improper characters, and feared for the respectability of his house."

Mentioned by Brij Bussia.

Jowala Pershad (apprehended).—Sent to Captain Chamberlain, as suspicion exists of his being connected with the Oonao thuggee cases.

Chowrassia, Rudduah, Soomerkhee (undoubted poisoners).

Mentioned by Chowrassia.

Dultummun Sing.—Said to be now head of a gang; this is not proved, but Dultummun Sing is a proclaimed offender and an undoubted bad character.

Ram Churn.—Said to be receiver of plunder from poisoners with guilty knowledge. As no property was found, he has been acquitted; but he was *reputed* and notorious as receiver of stolen property and a bad character, and has been dealt with under Section 296, Act XXV of 1861.

Seetul Koombee.—No proof obtained of thuggee or administration of poison, but general bad character established, and sentenced under Section 296, Act XXV.

Soondur Lall.—Ditto ditto ditto.

30. Further, I think the uniform character of the crimes committed in the several districts round Benares, comprising the whole of that division, and the Doab as far as Cawnpore, give strong and most conclusive evidence that this crime is perpetrated by a system. Not only are the methods employed of decoying the victims the same, the poisons used are identical; though deadly in any quantity, they are administered in every case in such quantity as to stupefy only; and the occurrences of these crimes take place at such distances from each other, and yet frequently so near in the time of occurrence, as to preclude the idea of being committed by the same individuals.

31. In the Oudh territory another plan of attack is pursued, and the same features attend cases which occur there in the districts extending to Calpee and to the Futtehghur District.

32. In Benares the victims are *invariably* travellers, who are accosted on the road; they are asked the place to which they are travelling, and the poisoners invariably assert that they are going to another place in the same direction, either beyond or before the place named, and they then propose to travel together. This they do for two or more journeys (apparently required to obtain confidence); they then get the opportunity of purchasing or cooking food for the party, in which they mix sufficient dhatoora or khurreearee to stupefy. On recovery (which occupies from 12 to 48 hours) the travellers find their property and companions gone.

33. In Oonao the victims are almost invariably murdered (at all events, I believe this is the case), or the following plan is adopted: The poisoner with his family, or persons said to be his family, hire* a bailee and bullocks for the journey. On the road the owner of the cart is poisoned (not murdered), and the poisoners decamp with the bailee. These cases have occurred as high up as the District of Mozuffernugger, but not one case of this character has occurred round Benares.

* This gang has been apprehended. The full convincing proof of guilt obtained by Captain Chamberlain.

34. Now, I presume that each *class* of crime is perpetrated by a gang on a system laid down, and if so, that the members of this gang work with a knowledge of, and in mission with, each other. Were there no evidence in support of this view, the very peculiar similarity between *every* case occurring in the same tract would induce *belief* to this effect.

35. But I consider satisfactory proof has been obtained; and whilst writing this report I have received from Captain Chamberlain copies of revelations, made by others now in his custody, concerning the existence of a gang.

36. In the course of enquiries by Captain Watson, a woman, named Purtaboo, was apprehended. The evidence against her was so clear, she had no course left but to make a clean breast of it. Her confession (which has been verified in many respects, and is amongst the papers forwarded herewith) commences with the announcement, "I am a thug and a member of a gang of thugs; we plunder by administering dhatoora and depriving victims of sensibility, but do not take life," the words being

، پیشے ہمارے ٹھگوں کے ساتھہ ہم رہتے ہیں اور ٹھگی کرتے ہیں
دھتورہ لوگوں کو کھلاکر وقت بیہوش ہوجانیکے مال ٹھگ لیا کرتے ہیں—
جان نہیں مارتے ؛

37. As Captain Watson's translation differs, I have given the above extract from her vernacular confession, and appended a fuller translation of my own.

38. If the revelations or confessions forwarded with Captain Watson's report, the collateral and corroborative evidence obtained from *circumstances*, from the characters of those implicated, and from the uniform character of the crimes committed in different parts of the country, are such as to convince or to lead to a conclusion that robbery by administration of poison is an offence committed by associations of men and women, I venture to ask whether extraordinary laws and measures are not required for the suppression of such crime.

39. I am convinced that this crime can only be suppressed by stringent measures and through the agency employed in the suppression of thuggee under another form,—that is, through convicted criminals. I am convinced that the punishment awardable under Section 328, Act XLV of 1860, is insufficient to deter from the commission of this offence, which, although there may be desire to stupefy only, is frequently followed by fatal results, life or death depending on circumstances beyond the control or judgment of the offender; and I am further convinced that a law is necessary regulating the sale and the possession of poisonous and deleterious drugs, and for meeting cases like that of Mussamut Rudduah, who was found in possession of made-up pills of dhatoora, arsenic, for no other possible object than that of causing death or insensibility.

40. I am supported in these opinions by Colonel Hervey and his officers for the suppression of thuggee, and, I believe, by every Magistrate of these Provinces.

41. I append to this report a list of gangs asserted to have been or to be in existence by the women apprehended by Captain Watson, and which should be a subject of continuous enquiry.

42. I consider that Captain Watson's commission has not been fruitless; that he has obtained a great deal of valuable information, which can and probably would be the means of obtaining a full and correct exposure of an extensive system of crime under the practice of the Thuggee Department; and I trust the Honorable the Lieutenant-Governor will see reason to be satisfied with what he has done, under very great difficulties and in excess of duties already sufficiently arduous.

43. I would recommend the convicted prisoner Soomurkhee be made over to Colonel Hervey for custody, with the same privileges as other convicted criminals admitted as approvers; that the prisoners Brij Bussia, Chowrassia, Kulbussia, and Purtaboo be made over to Captain Chamberlain, together with all informations, evidences, or other documents now in Captain Watson's hands; and as it appears to me most desirable that Purtaboo and Brij Bussia should, after conviction, be retained as approvers, I would advise that Captain Chamberlain be directed to await the orders of Government of India before deciding on their ulterior destiny.

Source of information.	Name of leader or of gang.	Persons named as belonging to gang.	Apprehended or at large.	Remarks.
Confessions of Brij Bussia and Chowrassia.	Zalim Singh's gang. Believed to have broken up on death of Zalim Singh and flight of Lulloo, wife of Zalim Singh. Said to have consisted of about 300 men and women, and to have practised in Benares Division and on Grand Trunk Road as far as Cawnpore.	Zalim Singh	Deceased.	
		Mussamut Lulloo ...	At large	Fled from Benares about the year 1858, or commencement of 1859; traced to Indore, where traces lost.
		Juggurnath	Ditto.	
		Jowala Pershad ...	Apprehended	A man of very bad character, resident of Cawnpore, and implicated in Onao murders.
		Budmyan Kaharin ...	At large.	
		Ram Dyal Singh ...	Ditto.	
		Seelaloo Singh ...	Ditto.	
		Jowahir Singh ...	Ditto.	
		Seo Bux Kahar ...	Ditto.	
		Deen Bund	Ditto	Said by Chowrassia to be dead, but believed to be alive.
		Ghultee Burhae ...	Apprehended, but released	Accused by Brij Bussia of receiving property obtained by thuggee. Clear proof not obtained, but the man is a notorious bad character and housebreaker. Made over to Magistrate of Goruckpore.
		Soomurkee (Mussamut)...	Convicted and under sentence of imprisonment for life.	
		Rudduah (Mussamut) ...	Twice convicted by Judge and recommended to death. Released by Sudder Nizamut.	
		Rudduah (Mussamut) 2nd 1 Brahimine, (2) Aheeumi	Released on bail.	
		Bilheshur Koombee ...	Ditto ditto. ...	Mentioned also by Purtaboo, and since known to have committed two crimes in the Benares District. Hopes entertained of early apprehension.
		RamDursun Singh Thakoor	Ditto ditto.	
		Ram Phul Kobree ...	Ditto ditto.	
		Dwarka Koombee ...	Ditto ditto.	
		BucchooKhar ...	Ditto ditto.	
		Madho Singh ...	Ditto ditto.	

Source of information.	Name of leader or of gang.	Persons named as belonging to gang.	Apprehended or at large.	Remarks.
Confession of Chowrassia	Dultummun Singh's gang. Said to consist of 40 or 50 persons. The persons named are of notorious bad character. But Chowrassia's confession is so full of falsehoods, the truth will hardly appear.	Jhullee (Mussamut) ...	Under surveillance.	
		Dultummun Singh ...	At large	Both notorious bad characters, for whom warrants have been issued.
		Rungeet Singh ...	Ditto	
		Sheo Newaz Brahmin ...	Ditto.	
		Ram Churn Bunjan ...	Apprehended and released...	Said to be receiver of the gang. Proved to be a prominent bad character, and noted receiver of stolen property, but nothing found to bring home charge connected with gang.
		Deen Bund	At large	Husband of Chowrassia, and said by her to be dead; but believed to be alive; mentioned in Zalim Singh's gang.
		Ram Messur Thakoor ...	Ditto	The crime of murder at Raja-ka-Talao, in which implicated, not attested.
		Sheo Dinwa Bahelia ...	Ditto.	
		Sheo Goolma Kombe ...	Ditto.	
Confession of Mussamut Purtaboo.	Narayun Doss's gang ...	Narain Doss, resident of Allahabad	Ditto	The information of this gang has been lately obtained, and the crimes related are under investigation.
		Gopal Gadureea ...	Ditto.	
		Hurdeal Bahelia ...	Ditto.	
		Hoiovah Koeree ...	Apprehended.	
		Eshree Rajpoot ...	At large.	
		Mohun Byragee ...	Ditto.	
		Sheo Bux Palmee ...	Ditto.	

(Signed) M. H. COURT,
Inspector-General of Police, N.-W. P.

NYNEE TAL;
The 16th September 1862.

From CAPTAIN JOHN THORNHILL WATSON, Magistrate on Special Duty, Benares, to M. H. COURT, Esq., Inspector-General of Police, North-Western Provinces,—No. 49, dated Benares, the 17th July 1862.

I have the honor to lay before you a brief narrative of my proceedings and of the enquiries I have made regarding the crime of dhatoora poisoning.

Permit me to preface this report by reminding you that my investigations have been carried on concurrently with my ordinary duties as a Police Officer, and whilst preparing for an examination, the result of which would very materially affect my future prospects.

I feel this explanation necessary, as I have to solicit your forbearance towards my shortcomings, and because my success has not been commensurate with the sanguine anticipations with which I entered upon this duty.

In the month of August 1861, I was informed by a constable employed by me in a detective capacity that a woman who had been imprisoned in the Benares Jail could make a revelation which might prove of interest. I directed that this woman should be brought to me, and from her I learnt that a female named Brij Bussia, at that time incarcerated for theft by administering dhatoora, could make a statement and confession which might lead to the discovery of great crimes.

I lost no time in obtaining permission to see this woman, and the story she narrated to me was written down from her dictation and a copy was sent to you. The result of this step was that I was honored by a special commission to investigate the truth of my informant's revelations, and to follow up any clue she might give me for the purpose of bringing to justice such of her accomplices as she might denounce. After a short interval my powers were extended, and I was permitted to take cognizance of all cases of dhatoora poisoning which might be brought to light in the course of my investigations, and such cases, when proved, I was directed to commit to the Sessions.

In drawing up this report it appears to me that the clearest way of setting before you the result of my enquiries will be to give you a close translation of salient points of the statement or confession of each approver, and marginally to note the steps taken and the persons apprehended in consequence. It will then be apparent at a glance what results have been achieved, and also what portion of the confession has borne the test of investigation and enquiry. I will also send you the vernacular confession in full, which can be compared with my abstract.

Brij Bussia's confession.—My name is Brij Bussia. My father's name was Jewrah, of the Rajpoot caste; I was born in the village of Dooluah, in the district of Chuprah, and was married to a man named Jye Narain Sing. I lived with him till his death, (1) about four years after which I left my home with my children, a boy and girl. I married the girl to the son of Doorga Roy. I committed a theft at Rampore and was imprisoned for two years in the Goruckpore (2) Jail. When the term of my imprisonment had expired I went to

(1) I have reason to believe he is still alive.

(2) True.

Sewhoney, Ramnugger, and made the acquaintance of two men named Jugger Nauth and Jowala (3) Pershad. These persons told me they were the servants of a Raja Zalim Sing, and that they were looking out for a female servant for his Ranee. I went with them to the Raja's house and obtained service. The day I obtained service the Raja set out for Nepaul and remained there a year. In our company was a woman named Chowrassia (4), as well as the Ranee (5) Lulloo, and another female named Budmeeyea (6) of the Kahar caste, and three men whose names are Ram Dayal Sing (7), Seetaloo Sing (8), and Jowahir Sing (9); besides the above named Jowala Pershad and Jugger Nauth (10) and Sew Bux Kahar (11), and some ten men besides whose names I cannot recollect. After residing in Nepaul we returned to Goruckpore and lived in the city for two months. It was about this time that I and Chowrassia (12) were sent to drug persons with dhatoora, and we both were directed to do this by the Raja and Ranee, who explained that they were in want of money. At a place called Kooshoombye (13) we got into company with two travellers, and after a time we gave them dhatoora in their food and robbed them of two gold mohurs. A mistry, who lived near the scene of this occurrence, discovered us and having beaten us gave us into custody and sent us to the Chowkee of Peiraj; here the travellers compounded the affair, and the Police let us go. We gave the plunder to Jowala Pershad, according to the orders received from the Raja. This happened four years ago. I also drugged a woman (14) and boy at Goruckpore and robbed them of a necklace and gave it to Lulloo, who directed Jowala Pershad to break it up. The pieces were sold through the agency of Ghuttee (15) Burhai, and I got my share of the plunder. After this I went home and took an opportunity to drug a Brahmin named Buchun Nusr (16) and his mother, and having robbed them of some brass utensils I fled again to Goruckpore and returned to my master Zalim Sing. I was imprisoned in the Kotwallee (17) on a charge of theft a few days after my return,

(3) Apprehended; strict enquiries made, but owing to his reticence no facts elicited; sent on to Major Chamberlain, as a suspicion exists of his being in some way connected with the Oonao thuggee cases.

(4) Apprehended, *vide* confession, page 13.

(5) See remarks on Raja Zalim Sing.

(6) No trace yet discovered.

(7, 8, 9, 10, 11) Many efforts have been made to arrest these persons, but I regret to say without success.

(12) Apprehended, *vide* confession, page 13.

(13) Properly Koosbye; the error in the name led to much delay in finding the scene of the occurrence. I went myself to Goruckpore and personally ascertained that in essential points the confession of the crime said to have been committed at Koosbye did not agree with the facts of the case as ascertained by enquiries on the spot. There the witnesses stated that no one was in company with Brij Bussia when she committed the crime.

(14) This story did not stand the test of investigation, and appears to have been got up with the intention of implicating Ghuttee Burhai, an old enemy of Brij Bussia's.

(15) Apprehended and closely examined; clear of all blame as regards the crime of professional poisoning, but discovered to be a bad character and notorious house breaker. Returned to the Goruckpore authorities.

(16) The enquiries made into the truth of this story do not substantiate the case, and the confession has varied at different times.

(17) Brij Bussia was imprisoned in the Goruckpore Kotwallee, as stated by her.

and Zalim Sing immediately set out for Benares by way of Jounpore. After twenty days I was released and followed the Raja to Benares; both the Raja and Ranee told me that in Benares I ought to get much money and sent me out. In my wanderings I arrived at Ramnuggur and made the acquaintance of a girl named Soomerkhee (18) and a woman named Rudduah (19), who were poisoners by trade. I stopped a night with them and returned to Benares. I attemped afterwards to drug some travellers at Furruckabad, but was apprehended and imprisoned. The Raja was the head of a large gang of poisoners; many persons were in the habit of coming secretly to him, and whispered conversation used to take place; when I knew him he was engaged in this profession. While I was in jail Raja Zalim Sing died, and the Ranee fled and took away my boy Beharee. As many as fifteen persons have come during the night to consult and plot with Raja Zalim Sing. He was the chief of as many as three or four hundred (20) men and women, all employed in this trade of poisoning.

(18) Apprehended and sentenced to imprisonment for life with labour suited to her sex.

(19) Apprehended: recommended for capital punishment; released by order of the Sudder Court.

(20) Brij Bussia states that as many as three or four hundred persons belonged to Zalim Sing's gang; when asked how she knows that there were so many she says that in conversation with the Ranee Lulloo the Raja was reported to have a great number of followers.

As soon as the above statement was made to me, I lost no time in endeavouring to ascertain all that I could regarding this so-called Raja Zalim Sing, and by degrees I learnt the following facts connected with him: Sewally, near Jeypore, was informed that a Raja with a body of horsemen and some camels had encamped near the village, and that their leader being on an expedition might give something towards the shrine at which he (Hurdeo) officiated. With this hope the Brahmin prepared a present for the Raja of fruit and flowers and went into the camp, where he was well received and obtained 100 rupees for his temple from the chief of the party, who was called Zalim Sing. Years passed and Hurdeo would have forgotten the circumstance, but his religious duties called him to Benares, and one day, while passing through the streets of the city, he heard some one called to him, and on looking up he saw a person at a window who beckoned to him to come in; he did so, and found himself in the presence of a man somewhat advanced in life, dressed in a slovenly manner, and without any sign of rank or distinction. This person reminded him of the gift of 100 rupees to the temple of Sewally, and stated that he was the Raja Zalim Sing who had been so generous to him on that occasion. The Brahmin Hurdeo, remembering the crowds of attendants who had at that time accompanied the Raja, expressed his surprise at the altered condition in which he now discovered him, namely, poorly clad and inadequately attended. To this Zalim Sing replied that he had lost his property during the mutiny, and was then seeking redress from Government. The interview was the first of a series which ended in the Brahmin making over to the supposed Raja all the money he could spare, not a fraction of which he ever saw again, for business recalling him to his home he departed, and on his return he found that the person called Zalim Sing was dead, and that

the Ranee Lulloo had fled. When he heard some months ago that enquiries were being made about the Raja, he came forward and made the statement above given.

I traced Zalim Sing from one house in which he had resided while here to another, and found that he had changed his residence three times. I took the depositions of his different landlords, and I ascertained from them that this *pseudo*-Raja was undoubtedly a loose character, and that he was in daily intercourse with suspicious-looking persons; and one landlord, by name Mulloo Mull, of the Lahoree Tolah, stated that a robbery which took place about this time was, he believes, committed with the connivance of the Ranee Lulloo, and that he even accused her of the theft, and that the next day she fled. This happened a few days after the death of Zalim Sing. Another of his landlords, named Munna Lall, turned him out, as he could not stand the coming and going of improper characters and feared for the respectability of his house.

Zalim Sing's statement that he was the Raja of Chutterpore, Tekoree, has proved (as might have have been expected) to be false; he does not appear to have been in any way connected with that family, at least none of the numerous enquiries that I have made in any way connect him with Chutterpore, Tekoree. My personal enquiries at Goruckpore greatly damaged Brij Bussia's character for truthfulness. I found that her account of an occurrence in which she had been engaged, and in which, according to her statement, she had acted in concert with a woman named Chowrassia, was grossly inaccurate, and that she had deceived me in the most essential particulars. I have, moreover, had occasion to remark on the variations in her several depositions; a sudden question has often produced an answer completely at variance with previous admissions. In short, I think that it is a matter of doubt whether Zalim Sing was ever the chief of a band of poisoners; that he was a loose character, and that he was mixed up actively in the disturbances of 1857 is, I think, excessively probable; and the fact of his having been at the head of an armed band of men fifteen years ago leads me to think that he was in all likelihood one of the many freebooters who formerly so troubled Bundlecund and the adjacent provinces. He used to boast that he had fought against the British in the first Sikh war, and Brij Bussia states that he had an interview with the Maharanee Chunda in Nepaul. That he came up in 1857 with evil intentions is not an unnatural supposition, and his own account of having lost the property he entrusted to Koer Sing gives a colour to the notion that he fought under the orders of the rebel, and shared in his reverses; but although I admit that the fact of his having been the head of an organised band of poisoners is not *proved*, I do not assert that such was impossible. I think he may have engaged in this crime, and if, as he stated, he had been in the Punjab during the first Sikh war, he may have become acquainted with the mode of practising thuggee in all its branches, as it is notorious that when we first occupied Lahore the crime of thuggee was very prevalent throughout the land of the Five Rivers.

Mr. Gubbins, the late Commissioner, had some recollection of a visit from the man, and of having directed that he should not again be admitted: and a native gentleman of this city has also told me that he had an interview with Zalim Sing, the result of which was to convince him that the man was an impostor and a cheat.

The endeavours which have been made to capture the Ranee Lulloo have not been successful. She was tracked from one city to another, and finally all traces were lost in the city of Indore. I have reason to believe that every effort was made, by all concerned, to apprehend this person, and I am very sure that, except taking up the pursuit myself, I have left no means untried to effect her capture. I should mention that a woman was apprehended at Dutteah owing to the remarkable resemblance she bore to the Ranee; but on her arrival at Benares, and on her being confronted with the approvers, it was discovered that, though extremely like, she was not the person required. One of the persons denounced by Brij Bussia was a woman named Soomerkhee, with whom she became acquainted at Ramnugger. I had this person arrested and confronted with her accuser; the result was that she made the following confession connected with the commission of a dreadful crime in Benares. This confession was made before me, and I never heard anything which more clearly carried conviction. The manner of the woman was that of one burdened with a heavy crime. Her reluctance to commence her narrative, and the unshaken consistency with which she persisted in every detail, together with tears and entreaties for pardon, carried to my mind a conviction of her guilt, which the most minute and careful investigation only tended to strengthen. On this confession, corroborated by the strongest circumstantial evidence, I commited to the Sessions a woman called Rudduah, and two others named Parbuttee and Bilasee, and a man named Gunesh Pershad, as being an accessory to the crime of murder by thuggee. The Sessions Judge, after a very long and patient trial, found the prisoners guilty and sentenced the principal parties to death. The proceedings in due course were forwarded to the Sudder Court, but returned as the informer Soomerkhee had not been made an approver in the manner laid down by the Thuggee Department, *viz.*, as follows: she should have been tried on her own confession, and if the evidence of a collateral and corroborated nature was sufficient, she should have been sent to the Sessions and convicted, and her sentence forwarded for confirmation to the Sudder Court. This was duly done; she renewed her confession on the promise of a conditional pardon, was tried at the Sessions Court, and condemned to death, as all the details of her statement were most fully corroborated. This sentence was commuted by the Sudder Court, which, however, concurred fully in the guilt of the prisoner, to imprisonment for life with labour suited to her sex. Soomerkhee being now a properly-constituted approver, the case against those associated with her in the crime for which she was condemned was again brought forward, and after a patient investigation which, if anything, made the proof against her accomplices stronger than before, they were committed to the Sessions. In the meanwhile another Judge had been appointed to Benares, who went into the case *ab initio*, visiting the scene of the crime and calling many fresh witnesses; the result of the trial was that the prisoners were again recommended for the punishment of death with the exception of Gunesh Pershad, who was sentenced to rigorous imprisonment for life, and the proceedings were again submitted to the Sudder Court, and that Court directed the release of all the prisoners, not considering the charge of murder or that of thuggee proved.

I will not here give the whole of Soomerkhee's confession, which is very long, and comprises much unimportant matter connected with her previous life, and also some important information which has been the subject of careful enquiries. At present I will confine myself to an account of that portion of this woman's statement which relates to the murder of a man named Juggut, in the city of Benares. Soomerkhee having been recommended to a woman named Rudduah by her former mistress, also a poisoner by profession (since dead), commenced plying her trade in Benares, and by the direction of Rudduah proceeded to the Sewallah Ghât of this city as being a likely place to meet with a victim. This was on the afternoon of a day in the month of January 1861. The evil fortune of a traveller of the Rajpoot caste threw him in this girl's path, and she commenced to practise upon him the evils which has already ensnared to their ruin former victims. After some conversation the man, who called himself Juggut, asked the girl to permit him to accompany her, and she consented and led him to the house occupied by two prostitutes, a mother and daughter, friends of her mistress Rudduah; she took the traveller to this house in accordance with a preconcerted arrangement with Rudduah, who told her that the two women, Bilasee and Parbuttee, were safe friends of hers, and would assist her in the execution of any design upon travellers. Having succeeded in getting the man into the house, she next made arrangements with the two women, and, having found an opportunity of mixing arsenic and a poison of a narcotic nature, called by the natives kurrearee, with Juggut's food, she did so. The man died at midnight, and she at once possessed herself of the money he had on his person, and gave Bilasee something for the body-carriers and returned to her mistress Rudduah's house in the grey of the morning. This is the pith of Soomerkhee's confession, which is strongly corroborated by the story of a young girl, also a prostitute, who appears to have been too young to be initiated into the secrets of the gang. The girl, who knew nothing of Soomerkhee, stated that she remembered her arrival accompanied by a traveller, because she was turned out of her apartment on the ground floor to make room for them, and that she was given a room on the upper storey of the house, from which she was not allowed to descend for two days; and that when released she found the room on the ground floor had been newly plastered, as is the custom here when a person dies in any chamber. Soomerkhee's story was also fully confirmed by an old servant woman who lived with the prostitutes, Bilasee and Parbuttee.

The trial was very interesting, and all those who were bound to elucidate the truth of the story have been morally convinced of the facts of the case; but as the body of Juggut was thrown into the Ganges, and as he was a stranger regarding whose disappearance no enquiries were ever made, the fact that murder had been committed was not accepted by those who are bound to see that every legal requirement is fulfilled to the letter. I may here state that as Gunesh Pershad (who, I have before mentioned, was an accessory to the murder) was the head of the mohullah, the removal of Juggut's body to the banks of the river was a matter of the greatest ease in a city where bodies are constantly being carried to the ghâts from all parts of the adjacent country as well as from the interior of the town.

The next confession, to which I beg to draw your attention, was made by a woman whose arrest was effected with much difficulty

and after tedious watching; she also was denounced by Brij Bussia as having belonged to Zalim Sing's gang, and as having been concerned with her in the drugging and subsequent robbery of some travellers near Goruckpore. I consider the names of places and persons in this narrative have been purposely altered, and that, though some of the incidents are true, the localities are not corectly given.

Chowrassia's confession.—About five years ago a woman named Jhelee (21), resident at a village near Kalka Barrah, in the District of Benares, who is a professional poisoner, taught me the trade of poisoning, and gave me a pill in which was sufficient poison to do the business of 5 or 7 men. In company with Runjeet Sing (22), Drigpal Sing (23), and Sheo Newaz (24), I went towards Allahabad, and at the Tewary Talao (25) Serai, we gave a fourth part of the pill to a man named Sewtahul, and we took his property and fled to the house of Dultummun Sing (26). We left his house at the Serai. We all remained at Dultummun's till the third day, and I then returned to Benares, having received two rupees and a lotah and dhotee. On the road I was robbed of all my property. I went to the house of Ramchurn (27) in the Man Munder, who is a receiver of stolen property; from thence to the residence of Ramsuhoy Sing (28), a pensioner. I went there because he had charge of and protected my son. I went after a few days back to Dultummun and asked for my share of plunder. I received two hundred rupees, and came back to Benares just as the mutiny broke out. I then went to Gunput Pandy's (29) and finally returned to Dultummun's house. I placed the money I had received in the charge of Mussamut Goodur Bhow (30). After wandering about the district for some 15 days, Dultummun Sing arranged a party for plunder, consisting of the following persons, *viz.*, Sheonewaz (31), Runjeet Sing (32), Drigpal Sing (33), and Ramasiher (34), and Shewgolaum (35), and another named Shewdinwah (36), and four others of the Thakoor caste. This party was armed and proceeded to the Raja-ka-Talao, in the Mirza Mowrad districts. Close to the village Budowee we

(21) This woman is under surveillance.

(22, 23, 24) Nothing tending to criminate these elicited as regards dhatoora poisoning, and an enmity between Chowrassia and the accused ascertained to have existed—released.

(25) No record of any such incident can be found in the Allahabad District, either in the Magistrate's Office or at the scence of the occurrence. The residents on the spot deny all knowledge of the crime.

(26) As Dultummun Sing's name figures frequently in this narrative, I will give a short account of him at its conclusion.

(27) Apprehended, and after full enquiries had been made and no stolen property found, forwarded to Magistrate for general bad conduct and for being, by repute, a receiver of stolen property under Section 296, Act 1861.

(28) Apprehended; discovered to be a very aged man, who acknowledges to have adopted Chowrassia's son; also stated that he knew her to be a bad character—released.

(29) This man was brought before me and stated that he knew Chowrassia was reported to be a bad character, and he added that she did go to his house on the occasion mentioned and that he refused to admit her.

(30) Apprehended; no proof against this old woman, who has respectable friends, and who says that all she knows of Chowrassia is that she has sometimes given her (Chowrassia) money in charity—released.

(31, 32, 33, 34, 35, 36) Both the names of the men and the scence of the crime, if it ever occurred, have been altered. I myself have visited the place at which the offence is said to have been committed, and, after the most searching enquiries, I have no hesitation in stating that no crime of the nature described was ever committed at Raja-ka-Talao or at Budowee, which is the name of the village in which the talao is situated.

found three travellers stopping at this place, namely, two Musulmans and one Hindoo, who were on their way from Cawnpore to Lucknow. We remained three days in their company; on the fourth day we administered poison to the Mahomedans in their food and they became insensible, and Runjeet Sing slew the Hindoo with his tulwar. As there was noise in the direction of the house of Baboo Durshun Lall, we fled to the house of a friend of Dultummun's in the village of Neepowah, and remained there till the next day; when we returned to Dultummun's house, those who had accompanied the party dispersed, and I remained with Dultummun's female servant 15 days. After this he gave me five rupees and some clothes, and told me to go. I went to Benares, and Ramchurn (37), who is a receiver of stolen property, permitted me to reside with him five months. I became acquainted with the above-named person through a woman named Rudduah (38). About this time I saw the Raja Zalim Sing's servants and went with them to a fair; their names were Deenbund (39), a Brahmin, Madhoo Sing (40), and Butcha Kuhar (41). We met some travellers on the Ghazipore road going to Benares (42); we entered into conversation with them and remained a day with them. On the second day they asked Butcha Kuhar to fetch some ghee; we mixed the poison in the ghee, the travellers partook of it and became insensible. We plundered them and returned to Benares to the Raja Zalim Sing's house at the Lahoree Tolah; he gave me for my share a sheet of muslin and a gold mohur and a day's food, and said, "Don't tell any one about this, and when I require you I will let you know." I then went to the house of Ramchurn (43), and after about a month, now about four years ago, I was sent for by Zalim Sing and told to proceed to Goruckpore. I went. I found Brij Bussia (44) there. One day Raja Zalim Sing and Lulloo Ranee told us to go out on an expedition and drug people and bring in the plunder; so we two went out east of Goruckpore, and near a stream we met two Hindoo travellers (45) and commenced joking with them; and these men after a time asked us to get something to eat for them. We bought some choorah and dahee with the money they gave us; when we mixed sugar with the dahee, Brij Bussia put in the dhatoora. After eating this food the travellers became insensible; we took from them two gold mohurs. We were discovered

(37) I have already stated what steps have been taken regarding this man.

(38) Apprehended; not the woman who is mentioned in Soomerkhee's confession. Enquiries prove that enmity has for a long time existed between Rudduah and Chowrassia—released.

(39) This Deenbund appears to have been Chowrassia's husband, since dead.

(40, 41) No trace of these men.

(42) This crime was said to have been committed at Syndpore Bethnoe, but after strict enquiries not only from the Police but also of the inhabitants, no kind of foundation for the story was discovered.

(43) Before mentioned.

(44) *Vide* Brij Bussia's statement.

(45) This is the same story as that told by Brij Bussia and enquired into by me on the spot, *viz.*, at the village of Koosbye near Goruckpore. I found indeed that a dhatoora poisoning case had occurred at the time and place specified, but the details did not correspond; the crime had not been reported by the Police and the parties who had apprehended Brij Bussia, whom they recognised, declared that she alone had committed the crime and denied that Chowrassia had been implicated. Brij Bussia explained their denial by stating that Chowrassia had bribed them to silence at the time of their apprehension, and that she alone had been taken to the thannah. I fear that this lame explanation leaves the affair at

by a chowkeedar and beaten, and all parties taken to the Police station. The travellers declared they had no complaint to make, and we were allowed to go. We gave the gold mohurs to Raja Zalim Sing. Some 20 days after this occurrence, Raja Zalim Sing gave me money and permitted me to return to Benares. I lived in the house of Rudduah in the Illakah of Dussasoomed in the city. About three years ago I committed a theft on a banker assisted by Seetul Koonbye (46), Gunga Sing, Nunkoo Soonar, and Simbul Aheer, and another man, a Brahmin; we stole 400 rupees in cash, besides jewels. My share was 100 rupees. Two years ago I robbed Balkishen Dass, assisted by Seetul Koonbye and Mussamut Gunga Daiye, of about 14 rupees, and got none of it. I became acquainted with a woman named Maharanee, who resided in the august Koondah (47). I mixed dhatoora with her sherbut and robbed her of 40 rupees cash and some clothing; and placing the goods in safe custody I hid in the house of Mooneah, who refused to let me have any of the property I had stolen from Maharanee. I made a journey to Juggernath and returned to Benares, and lived in the house of a Mookhtear named Soonder Lall (48). About 8 months ago, accompanied by Sutoo, a Brahmin, I went to Chowbeypore and drugged two women by mixing dhatoora with their liquor; we robbed them, while insensible, of some ornaments. We separated by agreement and met at Lodoopore and divided the plunder equally. I gave an ornament called a kum to Bishaishur by direction of the Mookhtear Soonder Lall to induce Bishaishur to give false evidence in a case connected with Soonder Lall. My next journey was to Muttra, and on my return I was apprehended. I knew the Raja Zalim Sing and the Ranee Lulloo; he was the head of a gang of about 200 men and several women. I have mentioned the names of as many persons as I recollect who are poisoners by profession; if I remember any others I will mention them.

best in the most unsatisfactory condition, and that it is very probable that some improper influence must have been at work, despite the endeavour I have made to prevent any kind of collusion.

(46) Apprehended and a full enquiry made in proof of having been implicated in dhatoorah poisoning cases, but general bad character established, and sentenced to imprisonment under Section 296, Act XXV, 1861.

(47) A full and careful investigation established the utter falsehood of this story.

(48) I had this man apprehended and made an investigation into the charge against him, namely, complicity with, and abetment of, professional poisoners; the prosecution failed for want of evidence, but it having transpired that the man had been obliged to retire from practice as a Mookhtear, and also that he then bore a most indifferent character, I required from him and obtained security for good conduct.

The person named Dultummun Sing, so frequently mentioned in the above narrative, is undoubtedly a bad character, and committed many crimes against the Government during the disturbances of 1857. The Police of this district on one occasion, and previous to the date of this confession, endeavoured to arrest him, and nearly succeeded in doing so; but, owing to the arrival of some of his friends, a rescue was affected, but not before Dultummun had received a very severe wound from a sword-cut. There is a very excellent reason for not immediately apprehending this man, of which I shall do myself the honor of privately informing you. Every clue given by Chowrassia has been followed, and the most patient enquiry has been accorded to all her statements. Further comment on this so-called confession is unnecessary; and this woman,

having failed to fulfil the conditions of her agreement, is not to be pitied if she suffer the penalties attached to the commission of crime. I have not mentioned two other cases in which several innocent persons were implicated, as this report is already becoming longer than I intended: suffice it to say that the pretended crimes referred to were satisfactorily proved to be inventions inspired by the malice of the narrator.

The last confession which I shall record is that made by a female named Purtapea, who was arrested in this district for a crime committed in the Mirzapore Circle; her description was accurately given by the Police authorities, and this constabulary having been put on the alert, the result was her capture and consequent confession as herewith submitted:—

"I am a dhatoora poisoner by profession, but I do not take life. I make people insensible, and then rob them. Twenty years ago I left my home for the purpose of making a pilgrimage, and reached Bhopal, where I met a man named Heerah Dass who taught me how to drug people, and I lived with him for some time. When he died I led a wandering life, and about three years ago I reached a place called Sirsoul, and there became acquainted with a gang of poisoners, *viz.*, Gopal (49), Hurdial (50), Hirwah (51), and a Rajpoot named Ishree (52), and I assisted these people to drug some travellers who were coming from Meerut. We mixed dhatoora with their food and robbed them as soon as they had become insensible. We then separated as we had previously arranged, having agreed to meet at Oonao. We did meet, but when I demanded my share of the plunder, I was denied my just right. While at Oonao we planned and executed another robbery. We joined company with a traveller (53) proceeding to Cawnpore, watched for an opportunity, drugged him, and took his bundle. We left him on the roadside. On this occasion also I demanded my share of the plunder and was again refused; I therefore parted company with these men; they proceeded to Lucknow, and I took the road to Fyzabad, where I remained for about three months, and from thence I proceeded to Benares. I committed no crime whilst at Fyzabad, but at the village of Aurora (54), in the District of Mirzapore, I drugged a woman named Indree, the wife of Driggopaul, and robbed her of her ornaments, and in consequence of information of this crime having reached Benares, together with a description of my person, I was apprehended at Cholapore. I must state that I committed a theft by administering dhatoora in the month of October 1861, in the District of Allahabad; I was assisted by Mohun Doss (55), Sew Bux (56), Hurdial (57), and Gopaul (58). We divided the property and gave

(49, 50, 51, 52) I have had but little success in apprehending these persons; as yet only Hirwah has been arrested, and he has not yet arrived. The enquiries made of the local authorities have resulted in the assurance that no crime of the nature specified had occurred in the neighbourhood.

(53) The letters addressed to Major Chamberlain and others regarding this alleged crime have been answered to the effect that no record of the occurrence notified exists.

(54) The clear testimony of all the witnesses in this case, and the hopelessness of escape from justice, induced Purtapea to make a full confession of this crime. The stolen property, or at least a large portion of it, has been recovered through the exertions of the Benares Police.

(55, 56, 57, 58) With the exception of Mohun Doss, none of this gang have as yet been apprehended. The case has been reported to the Futtehpore authorities, who have

two gold mohurs to Narain Doss, a man who is the head of the poisoners in the Allahabad District (59). The crime was committed near a village called Shahzadpore, in the Pergunnah Kurrah Manickpore, on the person of a traveller who stated that he was coming from Lahore. We obtained about 40 in silver and two gold mohurs and some clothes. After this affair I became friendly with a Kuhar of the name of Sew Churn (60). We hired ourselves as servants to a woman who was travelling to one of the hill fairs, and by my advice Sew Churn drugged her and fled. I remained behind a short time and joined him, as we had previously arranged, at Bithoor, near Cawnpore, and got my share of the plunder. The affair at Aurorah occurred afterwards."

caused full enquiries to be made, but the Police make no sign; at the same time information was requested from the Magistrate of Allahabad, but up to this date no notice has been taken of the request.

(59) Many letters have been despatched regarding Narain Doss, whose capture I am extremely anxious to effect; and copies of this confession have been sent to all persons likely to be able to assist in securing his apprehension.

(60) I obtained information of the residence of the Chowdry who recommended this Kuhar. I sent for him, and after some conversation with him I procured a warrant for the apprehension of Sew Churn, and sent the Chowdry to the Azimghur District. I have lately received intelligence that with the assistance of the local authorities the capture has been effected, and I daily expect to hear of the prisoner's arrival. Should the case be brought home to Sew Churn, I shall solicit a conditional pardon on behalf of Purtapea.

This is the first of Purtapea's confession. I have not mentioned two other cases which she narrates on hearsay, especially as the particulars are but vaguely given, and the names even of the principal parties are mentioned in a doubtful and uncertain manner.

All the narratives I have entered in this report are of course considerably abridged. I have merely given outlines and names in order that I might shew what I have done regarding each case.

Pending the result of the different enquiries made, and in the absence of any full and convincing proof of the perfect truth of the above statement, I have proceeded against Purtapea for the crime committed by her at Aurorah and have committed her to the Sessions, from whence she has been sent to the central jail for a term of seven years. Under all circumstances it was necessary that sentence should be recorded against her previous to her being admitted as an approver, and the steps I have taken towards securing her conviction will not militate against her being permitted to become an approver should it be found necessary or useful to obtain her services.

I trust that the perusal of these confessions, together with the marginal notes referring to the persons and incidents mentioned in them, may add to the mass of information already obtained regarding the habits and customs of dhatoora poisoners, and also enable you to judge of the manner in which I have endeavoured to discharge the duty entrusted to me. I have found that it is quite as difficult to detect the falsehood of a statement as to convince oneself of its truth. Every confession in all its details must be put to the proof; whether false or true the process is the same, but the results very different; in the one instance, oppression and disappointment at the fruitlessness of the labour; in the other, renewed hope and renovated energy leading to fresh and confident exertions which are eventually crowned with success.

I will not enlarge on the difficulties I have encountered from the

6. This man relates no less than 27 robberies committed in three excursions,—the greater number of which have been confirmed and the property recovered, as will be seen by a table prepared by Major Chamberlain, copy of which I submit.

7. I have before recorded that each gang of dhatoora poisoners pursues a separate system. In every crime committed by Hurpershad's gang the plan and the victims were identical. The party professed to be pilgrims, and, under one pretence or another, hired the conveyance to a certain town. They invariably paid half the hire stipulated for. Shortly before arrival, and on a convenient spot, they drugged the food of the driver or owner, and during insensiblity drove off the cart in a different direction and at right angles. On arriving at a serai they pleaded they had fallen short of cash and were obliged to sell their cart. Having effected the sale they left on foot for another town, hired a cart for conveyance, and again prosecuted the plan above described.

8. Hurpershad's confession implicates the Police of various towns, and the residents of Bansee, a town in the District of Banda, all of whom, he affirms, were cognizant of his pursuits. As far as the Police are concerned, the men implicated were Police Officers of 1859 and 1860, and in Jaloun only of 1861. Enquiries have been instituted by me to ascertain whether these have been transferred to the Constabulary Force.

9. Hurpershad's account of his first journey is as follows:—

"I was taught by a Byragee, named Mungul Doss, the profession of poisoning by dhatoora; this was three years ago. He taught me that I might hire carriage and become the owner. I administer dhatoora in atta or sherbut only. I do not know whether any of my victims died. God only knows. I have been three journeys. Mahadeo Sookul, Lulloo Rajpoot, Mandhata Sookul, Leel Kunt Sookul, residents of Bansee, joined with me in the crime. Mussamut Tijneeah, mother of my father-in-law, two sons and a daughter of mine, also accompanied me.

"Seodeen Sookul, zemindar of Bansi, is also an accomplice and receives share of plunder; he received 100 rupees, and the Thannadar of Bansee took that sum, on the crime being detected, in order to release him and others, telling me not to implicate others but to take my punishment and keep quiet, or many of the village will be punished.

"Lullae asked me to take him with me. Dhunna Pundit, of Tursoree, cast the horoscope for me to know a fortunate day to start, and I make the following confession of my own accord. I will not tell any falsehood:—

"Towards the end of Kartick (15th November) three years ago (1859) I went out for my first journey, accompanied by Leel Kunt, who was made over to me by Mahadeo Sookul, Mussamut Tijneeah, my girl Moonee, and my two boys walking to Banda. At Larna I engaged a cart on pretence of going to Allahabad; the cart belonged to Doorjun Thakoor and I paid 3 rupees, half hire, in advance. Four coss from Futtehpore I drugged him, and on being insensible drove off the cart to Sarh, in the Cawnpore District, where I sold it for 51 rupees to the Jemadar of the Chowkee, who would not allow a Kuhar to buy it for 60 rupees. We then moved to a Poorwah, on the Calpee road, where I hired a second cart from a Kanoujee Brahmin, named Puchna, under pretence of going to Calpee. Six coss on Cawnpore side he was drugged, and whilst insensible we drove off towards Bithoor, on the Ganges, where I sold the cart for 25 rupees. I then hired a cart for Lucknow. Four coss short of Lucknow I drugged him and sold his cart at Nawabgunge for Rs. 51. One coss beyond Durreeabad I hired a cart to go to Ajoodhia (Fyzabad). I drugged the driver one coss short of that town, and leaving the road moved towards Allahabad and sold the cart at Sultanpore for Rs. 24. Going on towards Allahabad I engaged a cart at Pepulpore from an Aheer. About eight coss from Allahabad we drugged him, and pushing on through Allahabad sold the cart at Lukreegaon for Rs. 70. We then went on, after 3 days, to Mukkapoor and hired a 4-bullock cart from Ramruttun, saying we were going to Bindkee, in Futtehpore District. On third day we drugged him and avoiding Futtehpoor went towards Chilla Tera Ghat, where I sold the cart and two bullocks for 35 rupees, and the other two bullocks for 25 rupees. Walking to Buhooah we hired a lubree to Humeerpoor, and four coss from Humeerpoor, on the banks of a nuddee, we drugged him and sold the turnout in a village towards Calpee for 30 rupees. We then turned southwards and hired a luhree from a blacksmith to go to Chirkaree. About five coss from Chirkaree, Leel Kunt

drugged the owner and drove straight to Bansee. I sold the cart for 7 rupees, and the bullocks were tied up in Mahadeo's house and afterwards sold for 16 rupees. Of the sums thus obtained 100 rupees were paid to Mahadeo. He is a zemindar and knew what we were about, so he got a large share. I owed Datooah 100 rupees, which I paid off, and the rest, after paying Tijneeah, road expenses, serais, &c., left me about 25 rupees profit."

10. Thus ends the first journey. The above account is exclusive of many details which, though necessary for the enquiring officer, are useless to give here.

11. Lullae and Tijneeah, on being confronted with Hurpershad, broke down and repeated the confessions here made.

12. The gang declare they wished to avoid taking life. But in one case death ensued; the case is No. 16. On enquiry by Major Walter, Political Agent at Bhurtpoor, it appears that Gungooah, or Gunga Ram, the carpenter, has never been seen since he drove the cart hired by the gang.

13. I trust this case will induce the Government of India to grant the officers of the Thuggee Department, the Magistrates, and the Police of the country the means of discovering these secret associations for the perpetration of crime so dangerous to life, and so grave, and will allow condemned criminals to be admitted as approvers under respite of sentence, instead of insisting on information being obtained from pardoned informers, whose revelations are less trustworthy, and who are certain to resort again to a crime so difficult of detection.

14. On this point I have so frequently urged my recommendations that I do not feel justified in dwelling further.

From Major T. H. Chamberlain, Assistant General Superintendent, Lucknow, to M. H. Court, Esq., Inspector-General of Police, North-Western Provinces,—No. 256, dated the 4th September 1862.

I have the honor to forward, for your own use and information, copy of an examination and confession of a poisoner,* prisoner now under trial in my Court, who was leader of the wandering gang which went all over Oudh and the North-Western Provinces during the cold seasons of 1860-61 and 1861-62, drugging hackery-drivers and robbing them of their vehicles and cattle whilst insensible from the effects of "dhatoora" administered in their food.

* "Hurpershad, *alias* Ram Pershad."

2. I had the honor, some weeks since, to send you copies of the depositions and confessions of two of his gang, Mussamut Tijneeah and Lullae; but as you will perceive, after perusal of this extraordinary narrative, theirs were but barren epitomes of crime which did not throw much light on the more necessary points to be ascertained, *viz.*, who befriended them, and how they came to be so long undetected and undisturbed.

No. 213, dated the 15th of August 1862.

3. Aware that vernacular copies of this criminal's story had better not be placed in the hands of native officials, I have carefully prevented anything, in this record, in the vernacular shape, from being either copied or extracted, especially as there is a good deal† which yourself and the Magistrate of Banda should have to guide you in ascertaining how far particular acts of particular persons are true, or whether particular facts have been exaggerated.

† All that refers to Police is pencilled in blue for immediate handy reference.

4. It affords me pleasure to add that every member of this migratory poisoning hackery gang is in custody, Leel Kunt alone (the brother of Mahadeo) having died, and his death is confirmed by Mr. Dashwood, the Magistrate of Banda, as a fact.

5. This examination (with the aid of papers already forwarded to you in my No. 213) gives the full history of the Jaloun State, in which it is very clear Nobut Rae, the present chief constable in Zillah Humeerpoor, did not behave as a Police Officer should have done; indeed, I incline to the opinion that his conduct was criminal, though it may be difficult to *prove* criminality against him, but this matter Major Ternan may be able to settle with the people of Jaloun at his command.

6. I enclose copy of a letter* of mine to Major Hervey, forwarding a duplicate copy of these examinations, also an index to the cases.

* No. 251, dated the 30th of August 1862.

7. By this morning's dâk I received a communication from the District Superintendent at Agra, which informs me that no record existed in the Agra diaries to shew that any person had complained in case No. 20 (or third of the third journey); but I know from other sources—namely, one of my own detectives on duty in the Blind Illaqua of the Gwalior States opposite Etawah—that the case is a true one, and the Muttra authorities have been told *where* the property was sold, and requested, after recovery, to send it to Etawah with a view to being restored to its owner. The Etawah Police will be addressed on this subject directly I hear the property has been recovered.

8. The Bundlecund, Bhurtpoor, two Oudh, one Futtehgurh, and one Delhi case are under reference for confirmation and recovery. An extract goes to-day to the Superintendent of Police, Banda, to try and discover the owner of the case No. 10, and to recover the mare, case No. 9. You will doubtless receive reports of the results of that officer's search, direct, in due course of Police executive.

9. I cannot, in justice to Dr. Stratton, the Political Agent for Bundlecund, close this letter without acknowledging my deep obligations to him for the very valuable assistance he has rendered me, and the cause of poisoning investigations in this trial, in particular, by seizing "Hurpershad" in Bundlecund and subsequently securing his two sons, to fetch whom I have deputed a select party of detective Nujeebs under a very intelligent, trustworthy officer.

10. You will perceive that the story of Gourreah's death was a deliberate fabrication. Hurpershad has scarcely held his head up since he has been informed his deception was discovered and the "dead" would soon give witness against him.

11. I have no doubt, on the arrival of these lads, I shall be able to find out further trace of crime not connected with these hackery operations, but more immediately with the prisoner's native country, the line of road from Banda and Mohabah to Saugor being practised on to some extent by poisoners (Dr. Stratton informs me), and perchance "Hurpershad" may be one of the criminals who have had that line of country for their particular hunting-ground. It is needless to add I disbelieve his self-imputed proficiency on very superficial instruction from the *soi-disant* Byragee "Mungal Doss." It is opposed to all our experience and the admitted training for qualification in this detestable and dastardly line for criminal profession.

12. I regret, in conclusion, that I was unable to address you, as intended on the 1st, when reporting to Major Hervey. The accidental causes, however, enable me to give you information up to the latest moment.

From MAJOR T. H. CHAMBERLAIN, Assistant General Superintendent, Lucknow, to MAJOR C. HERVEY, General Superintendent, Jubbulpore,—No. 251, dated the 30th August 1862.

Herewith I have the honor to forward, for your use, copy, with an index of the cases shewing the results of my enquiries, up to this date, of Hurpershad *alias* Ram Pershad; cases of drugging with dhatoora invariably followed by the robbery of bullocks and bailees or carts, and in one instance theft of a mare, which have come to light principally on my enquiries.

2. Of the 27 cases cited nearly four-fifths of them are confirmed; in about three-fifths the property has been traced and restored through the agency of *this office*, and in one-fifth through local authorities, who, however, did not report restoration, but in the single instance of "Deen Mahomed," or the "Roy Rareilly" case No. 13.

3. Of the 27 cases only five were reported to me at all, *viz.*,* "Roy Bareilly," "Suffeepoor," Koorsee," the Gujnere and Hurdoowar cases. The rest were heard of only on the arrival and examination at this Court of Mussumat Tijneeah and Lullae Thakoor, copies of whose criminal career I had the honor to forward, in vernacular, on the 29th ultimo.

* No. of index 13, 14, 22, 26.

4. On this occasion I have preferred sending a copy of my original examination in English, because there is a good deal of matter in it connected with residents of Bansee—disposal of property and charges made against the Police—which had better not be ventilated in the serishtas till the Inspector-General of Police, North-Western Provinces, the Magistrate of Banda, and the Deputy Commissioner of Jaloun have had opportunities of instituting enquiries and search into the subjects related, for which purpose a complete copy of this examination and confession will be forwarded to-morrow to Mr. Court, and extracts, for guidance, to the magisterial authorities above noted.

5. Hurpershad I was fortunate enough to have re-arrested by the Political Agent for Bundlecund after an infinity of trouble, and my obligations for hearty and most thorough co-operation in securing the great poisoner's two sons are again due to Dr. Stratton, the gentleman referred to; without his valuable and timely aid I am doubtful whether we could have seized these three persons.

He broke away from the Banda Police in "Fhagoon" in this year, when being taken to Humeerpore in the Gujnere case.

6. You will perceive there is much to shew that these criminals were not only covertly protected, but as we, from experience, know was the case with the old thugs and Buddick clan, professional dacoits, they paid fees to secure good will and silence.

7. The most extraordinary feature in these cases is the boldness with which Hurpershad, *alias* "Ram Pershad," has deliberately (in many instances) recorded the sale in the thannahs. All these reports are not confirmed, but the instances proved to my mind (coupled with what the

criminals relate of the Police collusion with them) go far to substantiate the probabilities that, when he says he did report, *the reports were made*, though not committed to writing in the diaries. The "Jaloun" case is a very strong one in support of this view.

8. Although Hurpershad's story has the appearance of a good deal of candour, I have reason myself to question the truth of his original introduction to *poisoning* by dhootoora as a profession, and I dare say, on the arrival of his sons, who have been sent for by special detachment, I shall find means for discovering antecedents in his history which, like the reported death of his second son "Gourreah" (who, to his horror, has been captured alive and well), will prove that hidden motives have made him only tell just as much and no more than he thought we might already know. In confinement he has asked questions and made remarks which oblige me to have him more than usually watched day and night.

9. With the denouncements which will follow my measures with "Mahadeo," "Keshoree Patack," and "Mohun Padee," and while cases, as they proceed, will, from time to time, be reported to you, I have no doubt we shall be able to strike a blow at what has existed in Bansee, and, hopefully I add, may find means to trace the poisoners at work on the Saugor and Mohaba roads. Requests for the arrest and despatch of the three individuals above noted will be made in a few days when I have a little more breathing time, for, besides this case, I have a very good one in Oudh, noted marginally, also intricate and interesting.

Government *versus* Manah and Moonah.

Index of Hurpershad alias *Ram Pershad—Hackery and Bylee Cases robbed by poisoning Drivers or Owners during cold seasons of 1860-61 and 1861-62.*

General No. of Case.	No. of Journey and No. of Case.	Description of Vehicle and Cattle engaged.	Name of Driver and Caste.	Hire agreed on.	Where engaged to go to.	Period, where sold, and Price.	Case confirmed or not.	Property recovered or not.	Remarks.
1	......	A Lubree and 2 Bullocks.	Doorjun Thakoor of Luma, Zillah Banda.	Rs. 6	Allahabad ...	Katik, "Ghur" Zillah Cawnpore, Rupees 5, to Police.	Yes ...	Yes; with owner, restored by the Banda Authorities.	This cart went across the Jumna for grain, was recognised and claimed, and the Banda Court, on due enquiries, restored it to Doorjun. The perpetrators entirely discovered by this Department.
2	......	Ditto ...	Punchema Konoujea of Jugduspore, Zillah Cawnpore.	3	Calpee ...	Katik, Bithoor, Rupees 25, to a Wood-seller.	Yes ...	Yes; restored to owner by Cawnpore Authorities.	Owner searching for his property went to Cawnpore, thence up Trunk Road, recognised property going from Bithoor to Cawnpore, claimed it; enquiries instituted by the Magistrate, who restored it. Poisoners not known at the time.
3	......	A Bylee and 2 Bullocks.	Aheer, age 50 years (name not known).	5	Lucknow ...	Katik, Nowabgunge, Rupees 5, to Poorun and Matadeen Kahars.	Yes ...	Yes, and sent by this Department to Cawnpore to be restored to the owner.	"Poorun and Matadeen" have been examined and confirmed particulars. They gave up the Bullocks. The Bylee they sold to one "Seetaram;" he has given it up also. Case traced by this Department entirely.
4	......	A Lubree and 2 Bullocks.	Name and caste unknown.	6	Aujoodheea ...	Katik, Sooltanpore, Rupees 24, to a Thakoor, Vegetable contractor.	Yes ...	......	Enquiries elucidated are under investigation for completion in Sultanpore Court, and production of owner from Fyzabad Zillah. Case entirely discovered by this Court.
5	......	Ditto ...	Aheer named Bhowaneedeen.	9	Allahabad ...	Katik, Lukreegaon, Zillah Allahabad, Rupees 70, to a Lumberdar, a Mahomedan.	Yes ...	......	Owner identified. Poisoner's case elucidated by this Court entirely. Owner gone to Allahabad to relieve his property.

Index of Hurpershad alias *Ram Pershad—Hackery and Bylee Cases robbed by poisoning Drivers or Owners during cold seasons of 1860-61 and 1861-62*—continued.

General No. of Case.	No. of Journey and No. of Case.	Description of Vehicle and Cattle engaged.	Name of Driver and Caste.	Hire agreed on.	Where engaged to go to.	Period, where sold, and Price.	Case confirmed or not.	Property recovered or not.	REMARKS.
				Rs.					
6	......	A Lubree and 4 Bullocks.	Son of Ramruttun Aheer.	8	Khujjooa Bindkee, Futtehpore District.	Ughun, Ghazeepore, Zillah Futtehpore, a Cart and 2 Bullocks to a Konoujeea Dhoobey for Rupees 35, and the other pair to a Koormee for Rupees 25.	Confirmed ...	......	Reply to application not received yet from Allahabad. Case has been confirmed. The property was recognised and after due enquiries restored by the Futtehpore Authorities to owners. Papers have been called for.
7	......	Ditto ...	Dodeen Brahmin.	6	Humeerpore ...	Ughun "Julokur," Zillah Humeerpore, Rupees 30, to a Lalla and Brahmin.	Ditto ...	Yes; property recovered at Julokur, in Humeerpore on demand of the Office.	Property sent from Lucknow to Humeerpore to be restored to the owner. Facts entirely elucidated by this Court and poisoners identified by plaintiff.
8	......	A Lubree and 2 Bullocks.	A Blacksmith (name not known).	5	Churkharee ...	Ughun, Bansee, Zillah Humeerpore, Cart sold to Doolaree Dhoobey for Rupees 7, and 2 Bullocks to Bukhoo Doobey for Rupees 16.	Not confirmed	......	Have not yet been able to discover the village, suspected to be in the Churkharee or Jaloun District. Reference again made to get at the owners.
9	......	One Mare ...	A lad 16 or 18 years.	2	Calpee ...	Ughun, Kunorah.	Yes ...	Not yet ...	Under reference; reply not received.
10	Between 1st and 2nd Journeys.	Bhurgurra Lubree with 2 Bullocks.	By Thakoor ...	...	Banda ...	Bysakh, a village 3 coss from Banda, for Rupees 15, the cart for Rupees 4, to Mahadeo of Banda, and the Bullocks for Rupees 11.	......	......	Will be referred for enquiry to the Banda Police.
11	2nd Journey (1) 7 cases.	A Cart and 2 Bullocks.	Brahmin Chowbey (name not known).	6	Allahabad ...	Cheyt, Kurra Manikpore, 31 or 32 Rupees, to a Mosulman Zemindar.	Yes ...	Yes; restored to owner by Allahabad Authorities.	Poisoners entirely discovered by this Court. All the poisoners in arrest, fully identified by the owners.

12	2nd Journey (2) 7 cases (continued).	A Bylee and 2 Bullocks.	A Kalchie (name not known).	6	Ajoodheea ...	Cheyt, Lalloorce, Zillah Pertabghur, 50 Rupees, to a Mosulman Chowdhry Zemindar.	Confirmed ...	Yes, and restored to owner by the Allahabad Authorities.	This was recognized by owner not long after being plundered was reported after due investigation; driver has recognized Lullow and the old woman who confirm him.
13	3 ...	Ditto ...	Deen Mamhomed Mosulman.	6	Cawnpore ...	Cheyt, a village 3 coss of Soleepore, Zillah Oonao, 60 Rupees, to Gunga Sing Lumberdar.	Ditto ...	Yes, and restored to the owner by Oude Police in 1861.	This was recovered last cold season in Oonao Zillah when the District Superintendent of Police was trying to trace the the course of this gang.
14	4 ...	Ditto ...	An Aheer (name not known).	6	Meerun-ka-Serai.	Cheyt, a town 6 coss beyond Meerun-ka-Serai, for Rupees 50, to a Bajpaye Sukhpaty.	Yes ...	......	Owner and driver are coming in to identify the poisoners. They will then be sent to Futtehghur to recover their property; results will be reported. This case was my No. 12 of Tabular Statement with poisoning reports. The perpetrators were discovered by this Court.
15	5 ...	Ditto ...	Ditto ...	21	Muttra ...	Bysakh, Dhurtpore, for Rupees 47, to an Agra Bannyah at Bhurtpore.	Yes	......	This will be referred to Political Agent at Bhurtpore. Results will be reported.
16	6 ...	Ditto ...	A Carpenter by name Gungooa.	12	Gwalior ...	Bysakh, Tehere State, for 44 Rupees to a Tewary.	Ditto, reported to Political Agent, Bundelkund.	......	This will have to be tested by Political Agent for Bundelkhund.
17	7 ...	A Lubree and 2 Bullocks.	A Koormee (name not known).	6	Mahoba ...	Bysakh, Bansee, the bullocks for 24 Rupees, to Rechore Potyale, and the wheels of the cart to Mohun Pandey for 2 Rupees and the axles to Doolareh Dhoobey.	Referred to Political Agent, Bundelkhund, for confirmation.	......	This case will take time to discover, as owner resides in Bundelkund.
18	(1) ...	A Bylee and 2 Bullocks.	Ditto ...	5	Meerun-ka-Seraie.	Katik, Jalorie for Rupees 83, to a Moonshee of a Thannah.	Yes ...	Yes; restored to the owner by the Assistant General Superintendent.	This was sold at Jaloun to the Wasil Bakee Navees of Joloun. The son was a Police employé. Property has been recovered and made over to the owner by the Assistant General Superintendent. Recovery effected by Cawnpore Police in concert with A. G. S.

Index of Hurpershad alias *Ram Pershad—Hackery and Bylee Cases robbed by poisoning Drivers or Owners during cold seasons of 1860-61 and 1861-62*—concluded.

General No. of Case.	No. of Journey and No. of Case.	Description of Vehicle and Cattle engaged.	Name of Driver and Caste.	Hire agreed on.	Where engaged to go to.	Period, where sold, and Price.	Case confirmed or not.	Property recovered or not.	REMARKS.
				Rs.					
19	2 ...	A Lubree with 2 Bullocks.	A Katchee (name not known).	6	Gwalior ...	Ughun, Bhind of Bhadawar, for Rupees 22, to a Sowar (name not known).	Yes ...	Owner gone to recover his property at Bhind.	Was first traced by this Court; owner has recognised defendants and has returned to Jhansie to get credentials from Gwalior to enable him to recover his property.
20	3 ...	Ditto ...	A Brahmin (name not known).	5	Agra ...	Ughun, 3 coss from Buldeo Dos, on the Meerut road, for Rupees 22, to a Mahajun (name not known).	Yes ...	The Muthra Police have been told where to find it.	Discovered by this Department; owner has been traced, also the property. Steps now being taken, through Police of Muthra and Etawah, to recover and have it restored to sufferer.
1	...	A Bylee with 2 Bullocks.	Gosaen (name not known).	10	Delhi ...	Ughun, Putputgunge, for Rupees 40, to a Bunnya (name not known).	......	Reference made for the purpose.	Referred to Delhi Police Superintendent to recover, and to Muthra to fix the name of the village and the parties who hired and were drugged.
22	5 ...	A Lubree with 2 Bullocks.	A Katchee (name not known).	10	Hurdwar ...	Poos, Koodukee, 9 coss of Rankee, for Rupees 54, to a Bhat (name not known).	Yes ...	Yes; restored to the owner by the Seharanpore Authorities.	This is the Hurdwar case recorded in my Vernacular Report to General Superintendent, on the 11th of March 1862. Property has been recovered and made over by Moradabad Authorities to owner, who has identified the poisoner.
23	6 ...	A Bylee with 2 Bullocks.	A Thakoor (name not known).	10	Furruckabad...	Poos, Konouj, for Rupees 44, to a respectable Brahmin (name not known).	Yes ...	Yes; restored to the owner by the Futtehghur Authorities on demand of the Office.	This was discovered by me. The property was found in Kunouj. It had been registered in Thanna Luliaie; has been identified by the parties drugged and owning it.

24	3 Journey, 10 cases (continued).	A Bylee and 3 Bullocks.	Ditto ...	9	Allahabad ...	Poos, one coss from Salone, near Kunkur Ghât, for Rupees 42-12, to a Bhutteeara (name not known) at Badshapore.	......	Property sold at Badshapore in Allahabad; case referred for recovery.	Under reference to Allahabad Police to discover the party to whom sold, and through them to recover the property; owner not traceable, however, at present.
25	8 ...	A Bylee and 2 Bullocks.	An Aheer (name not known).	12	Aujoodheea from Jounpore.	Poos, Futtehpore, 15 coss from Lucknow, for 82 Rupees, to a Mosulman (name not known).	Yes ...	Yes; restored to the owner on the demand of this Office.	This was entirely discovered by me. Sale was registered at the Cazee as well as the Thanna. The property has been restored to the owner, a wealthy Chowdry in Jounpore. Driver has identified the party of poisoners concerned.
26	9 ...	Ditto ...	A Chamar (name unknown).	8	Meerun-ka-Serai.	Maug, Sheolee, Zillah Cawnpore, for 49 Rupees, to a respectable Brahmin Zemindar.	Yes ...	Yes; restored to the owner by the Assistant General Superintendent.	This was not one of the poisoners on the list in my Report on poisoners' operation for 1861. Property was recovered with aid of Cawnpore Police, and poisoners have been fully recognised by injured parties.
27	10 ...	A Lubree and 2 Bullocks.	Pershad Koormee.	5	Mahoba ...	Phagoon, Burakhur, a village 3 coss beyond Banda; disposed of the hackery only.	Yes; Bullocks sold for 60 Rs. Lubree found at Burakhur.	Yes; Bullocks recovered and restored to the owner.	It was for this case that the Humeerpore District Authorities caused Hurpershad, Lullae, and Tijneeah to be arrested on their way to Humeerpore. Hurpershad escaped from the Police; he has been re-captured, delivered on requisition of this Office.

(Signed.) T. H. CHAMBERLAIN,

Assistant General Superintendent.

LUCKNOW,

The 28th August 1862.

From E. C. BAYLEY, Esq., Secretary to the Government of India, Home Department, to the Officiating Secretary to the Government of the North-Western Provinces, —No. 1545, dated the 6th March 1863.

Sir George Couper's letter No. 849A, dated the 20th of October, having with its enclosures and the papers noted in the margin been laid before the Honorable the President in Council, I am directed to communicate the observations and orders of the Government of India thereon in the following terms.

From Secretary to Government, North-Western Provinces, to Secretary to Government of India, Foreign Department, No. 475, dated 11th June 1860, with enclosures.
Ditto ditto, No. 753B, dated 13th February 1862, with enclosure.

2. In the 6th paragraph of the letter under acknowledgment, the Honorable the Lieutenant-Governor states that on three occasions the attention of the Government of India has been invited to the crime of "theft or robbery by poisoning" with a view to special legislation or action of some kind.

3. It appears to the Honorable the President in Council that the Indian Penal Code and the Code of Criminal Procedure contain ample provisions for the suppression of the crime in question, and for the detection, conviction, and punishment of persons guilty of the same; and that what is required is not any new or special law, or any action on the part of the Government of India, but that the existing law should be properly and intelligently administered by the local authorities.

4. There can be no doubt, the President in Council thinks, that the offence which is declared in the correspondence received from the Government of the North-Western Provinces to be so prevalent in those Provinces is "*robbery*," not simply "*theft*." Section 390 of the Indian Penal Code declares that theft is "robbery" if, in order to the committing of the theft, or in committing the theft, or in carrying away, or in attempting to carry away property obtained by the theft, the offender, for that end, voluntarily causes or attempts to cause to any person death or *hurt* or wrongful restraint, &c. According to Section 319 of the Code, whoever causes bodily pain, disease, or infirmity to any person, is said to cause hurt. Any hurt which endangers life, or which causes the sufferer to be during the space of twenty days in severe bodily pain, or unable to follow his ordinary pursuits, is declared by Section 320 to be "grievous." Section 321 declares that "whoever does any act with the intention of causing hurt to any person, or with the knowledge that he is likely thereby to cause hurt to any person," is said "voluntarily to cause hurt;" and Section 322 points out what constitutes the "voluntarily causing grievous hurt." That the administering poison with a view to rob the person to whom the poison is administered, whereby, if death does not actually ensue, life is almost always endangered, and insensibility, or violent retching, or vomiting and purging generally caused, is within the definition of "voluntarily causing hurt," or "grievous hurt," appears to the Honorable the President in Council to admit of no doubt.*

*(See Note on Indian Penal Code by Morgan and Macpherson, page 287, where, in treating of "hurt," it is remarked "a person who mixes a deleterious potion and places it on the table of another may cause serious hurt," &c.)

5. Section 394, to which no allusion is found in the correspondence from the North-West Government, enacts: "If any person in com-

mitting or attempting to commit robbery, voluntarily causes hurt, such person, and any other person jointly concerned in committing or attempting to commit such robbery, shall be punished with transportation for life, or with rigorous imprisonment for a term which may extend to ten years, and shall be liable to fine."

6. Section 310 says: "Whoever shall have been habitually associated with any other or others for the purpose of committing robbery by means of, or accompanied with, murder, is a thug;" and the next section provides that whoever is a thug shall be punished with transportation for life, and shall also be liable to fine. His Honor in Council has no doubt that the provisions of the two sections just quoted would be found applicable to very many of the persons who are alleged to be associated together in this country for the purpose of committing robbery by poisoning, or who may hereafter become so associated; and that such persons might be proceeded against under the laws and rules which have from time to time been passed for the suppression of thuggee.

7. Section 401 of the Penal Code provides that whoever shall belong to any wandering or other gang of persons associated for the purpose of habitually committing theft, or robbery, shall be punished with rigorous imprisonment for a term which may extend to seven years, and shall also be liable to fine. This section would doubtless reach many of the persons mentioned in the last preceding paragraph who might not be within reach of the section therein quoted.

8. Section 328 of the same Code declares that whoever administers to, or causes to be taken by, any person, any poison or any stupefying, intoxicating, or unwholesome drug or other thing, with intent to cause hurt to such person, or with intent to commit or to facilitate the commission of an offence, or knowing it to be likely that he will thereby cause hurt, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

9. Section 296 of the Code of Criminal Procedure declares that whenever it shall appear to the Magistrate of the District, or to an officer exercising the powers of a magistrate, that any person is by repute a robber or thief, or of notoriously bad livelihood, such Magistrate or other officer may require security for the good behaviour of such person for a period not exceeding one year, which period may be extended, under the circumstances stated in the following section, to three years; and Section 301 provides that in default of finding the required security, the party may be imprisoned for the full period for which he has been required to give security.

10. Sections 209 and 210 of the Criminal Procedure Code contain provisions for the tender of pardon to offenders with a view to secure the conviction of other persons; and Section 54 provides for the remission of punishment after conviction, including (as it appears to the President in Council) the suspension of punishment. The section says, "when any person has been sentenced to punishment for an offence, the Governor General of India in Council or the Local Government may, at any time, without conditions, or upon any conditions which such person shall accept, remit the whole or any part of the punishment to which he shall have been sentenced."

11. With this large body of substantive Criminal Law and Criminal Procedure Law in operation, it appears to His Honor in Council that it cannot be said that the Legislature has not done its duty, or that it has failed to make ample provision for the suppression of the particular crime under consideration, and the detection, conviction, and punishment of those who are guilty of the same. And it certainly does seem to His Honor in Council that if the Criminal authorities in the North-Western Provinces, with all these provisions of law in their hands, are unable effectually to cope with the crime, the defect must be not in the law itself, but in the administration of the law, and in the absence of proper arrangements for carrying out its provisions.

12. With regard to what is called the "Approver System," as it is now applied to the crimes of thuggee and dacoitee, and the proposed extension of that system to the crime of robbery by poisoning, the President in Council observes that the system rests upon no express provision or authority of law beyond what is contained in the section of the Code of Criminal Procedure relating to the conditional or unconditional remission of punishment which has been already quoted (Section 54), and in that part of the Law of Evidence now in force, which declares that no person shall be incompetent to be a witness in any case by reason of a conviction for any offence. The system was introduced in the year 1837, not by recourse to legislation, beyond the alteration in the Law of Evidence just mentioned (see Act No. XIX of 1837), but by Circular Instructions approved of by the Governor General in Council, and issued by the Court of Nizamut Adawlut for the Lower Provinces of Bengal under Order No. 247, dated the 22nd September 1837. These instructions, as originally issued, applied to the crime of thuggee only, but they were subsequently extended to the crime of dacoitee. Similar instructions have been issued at different times to the Criminal authorities in the North-Western Provinces, and are still in force in those Provinces. There is ground for believing that the section of the Criminal Procedure Code (54) relating to the remission of punishment, on conditions or without conditions, was introduced specially to legalise the use of approvers convicted of thuggee or dacoitee with a view to the conviction of others guilty of the like offences, and their remand to jail, again to undergo imprisonment, in the event of their failing to fulfil the conditions on which they may have been let out of jail. It is only necessary to add that the exercise of the power given to this section is not confined to the Governor General in Council: the power may be exercised by any local Government. The attention of the Lieutenant-Governor of the North-Western Provinces does not appear to have been directed to this section.

13. It is again proposed that the sale of poisonous drugs should be permitted only under license, and that the possession of such drugs for sale without a license should be made an offence. But I am to remark that the correspondence received from the Government of the North-Western Provinces shows that the persons who engage in the crime of robbery by administering to their victims poisonous and other drugs have no occasion to resort to the shops of druggists or others for the purchase of the drugs of which they generally make use. Dhatoora and kharreeara (the sweet-scented oleander), which, or preparations therefrom, are the poisons most frequently used by such persons, grow luxuriantly

in jungles and gardens, and are often to be found on the roadside. The restriction, therefore, proposed to be placed on the sale of deleterious drugs would in no way interfere with the use of these two poisons; while as regards opium, bhang, churus, ganja, and other intoxicating drugs, which are also used by the same classes of persons with a view to reduce their victims to a state of insensibility before they proceed to rob them, these preparations are already required to be sold under license.

From LIEUTENANT-COLONEL C. HERVEY, V.C., General Superintendent of Operations for the Suppression of Thuggee and Dacoitee, to E. C. BAYLEY, Esq., Secretary to the Government of India, Home Department,—No. 930, dated Simla, the 13th September 1865.

I beg to submit, to the notice of Government, the annexed draft of a Bill "to regulate and restrict the sale of poisons in the Bombay Presidency" as proposed in the local Legislative Council, and published in the Supplement to the *Bombay Government Gazette*, dated 4th instant, this morning come to hand.

2. In the correspondence which I some years previously had with the Bombay Government on the subject of the expediency of amending the laws relating to the crime of poisoning, it was remarked by the Honorable the Governor in Council that I had quite shown the necessity for such a measure; but it will be perceived that it was only when public horror was excited by the poisoning of several European children of the Byculla Charity Schools that the present Bill was brought in.

3. I have, from time to time, ventured to urge the adoption of like measures upon the notice of the Government of India. The prevalence of the crime of poisoning in many directions justified me in the step; and although I may not say that a similar catastrophe is necessary to arouse the same attention to the subject, the serious extent to which the crime has reached, and its unabated progress throughout the country, will absolve me for enquiring *why*, under as dire a necessity, the same and even greater restrictions should not be imposed by the Supreme Government everywhere.

4. In the Report on the Administration of Criminal Justice in the North-Western Provinces for 1864-65, just published, it is noticed that crimes analogous to thuggee, and the giving of stupefying drugs, had revived; and a case is quoted which presented "all the ordinary features of the old thuggee system" (the manifestation of which, I regret to say, is not confined to that single instance) of a Chumar personating a highly connected Thakoor. "He was extremely well dressed, in red turban, a chintz tunic, and a gold necklace. He induced a native *bhailee* driver to take him from Itmadpore, in the Agra District, towards Jeytra, whither he said his son had preceded him in a palkee; on the third day's journey he stupefied the carter with some intoxicating drug, left him on the roadside, and carried off the cart and bullocks. This man was "said to have been accompanied by twenty Marwaries, men and women."* In Bengal the crime had gained such head, without detection, that the local Superintendent of Detective Police was recently directed by the

* Quoted from the *Pioneer* of the 8th September 1865.

"The operations of a similar gang of poisoners of hackery drivers, whose field extended from Bundlecund to Oude and Hurdwar, were reported in full detail in my Despatch, in the Foreign Department, No. 794, dated 15th September, 1863, paragraphs 19 and 24."

Lieutenant-Governor to place himself in communication with me, and the enquiries which have resulted have led to such astonishing revelations of its fatal extent in that direction, and are attended with such horrible details, that I am left to wonder what the Police could have been about. Several recent instances in Oudh show that it is successfully practised there, combined in some cases, as in Bengal, with strangulation after drugging. I do not receive any reports of its occurrence in the Central Provinces, and in Madras and Bombay territory; but I have no reason for believing that it does not prevail in those countries, my impression from observation being that it exists to a much greater extent in them than is reported or is known,—some cases last year in the former territory having been of a very diabolical nature: while in the Punjab the example I last year brought to notice, of an escaped thug approver committing, with associates, in the space of three months only between his escape and capture, so many as *eighteen* cases of it, with fatal effects in almost every instance; some subsequent cases in the Cis-Sutlej districts of a nature akin to that brought to notice in the North-Western Provinces, and the references recently directed to me on the subject of general measures of detection, also preclude me from exempting that Province from the consideration, whether on this side of the Sutlej or on that. Some recent discoveries, too, of thuggee in Central India, lead me to include those States in the same category; while the condition of the Hyderabad, Rajpootana, and other Native States, and the silence which is generally observed with regard to the perpetration in them of acts of crime, afford me no grounds for excluding those countries from it.

5. Life generally is taken; or if the victims recover, they mostly lose their health and their intellect; and in frequent cases there is no Police detection. On the contrary, death, if reported at all, is ascribed to disease, suicide, or wild beasts; and if death is escaped, silence is too often observed to avoid the charge of drunkenness or falsehood; or if females should be the complainants, of unchastity and other taunts, at the sacrifice of the property which has been robbed, and of justice.

6. Merely, however, to restrict the sale of poisons, would not be, I submit with respect, to go far enough in remedial measures. The whole law relating to the crime of poisoning, the sale, purchase, and possession of poisonous or noxious drugs, might, with salutary results, be made more stringent. With no more in this place than merely adverting to the pressing necessity which also exists for supplementing the Police with a detective organisation, under a single but not independent administration, for the purpose of more effectually repressing this and other heinous crimes of the same exceptional character, to cope with which something *more* than ordinary Police action is required, I would here refer more directly to what I have before pressed to notice,—namely, the necessity for a law which shall make it both *criminal* and *penal* to be found in the possession of deleterious drugs except on the part of licensed vendors, or of persons specially permitted to have them. As submitted in another place, the person who desires to obtain such things for criminal purposes would, in reference to any enacted restriction in the *sale* of poisons, have

no need to resort to the druggist's stall, or the chemist's counter, in a country in which he was able readily to get what he wanted from the roots of trees, from jungle, garden, or the wayside; or, for mineral poisons, to the travelling quacks (waids) who numerously roam the country vending, unquestioned, every noxious thing;—but he would have to bethink himself how to prevent his being discovered to *possess* them, if it was made *unlawful* to be so. Such a measure, however easily it might often be evaded, would at least have the effect of checking the crime of poisoning committed from malice, or for the purpose of robbery, or of procuring abortion; while those who required the drugs for medicinal or honest purposes would suffer little from the mere inconvenience of having to seek the required permission to possess them.

7. I have long aimed to gain for this subject the consideration it seems to merit, and I trust the occasion will be deemed a fitting one for my now again seeking to do so.

8. I am able to submit the correspondence which has taken place relating to it in this office, should it be the pleasure of Government to see it.

BILL No. IX of 1865.

A Bill to regulate and restrict the sale of Poisons in the Bombay Presidency.

Preamble.

Whereas it is expedient to consolidate and amend the law relating to the sale of poisonous drugs and deleterious substances in the Mofussil of the Bombay Presidency, and to regulate and restrict the sale of such drugs and substances in the City of Bombay, and throughout the Presidency; It is enacted as follows:—

Laws repealed.

I. Section 20 of Regulation XIV of 1827 and Chapter IX of Regulation XXI of 1827 are hereby repealed, except in so far as they repeal the whole or part of any other Regulation.

Sellers of poisons to be licensed.

II. From and after the date on which this Act comes into operation, no person shall sell any of the poisonous drugs or deleterious substances specified in the Schedule (A) annexed to this Act, without a license as hereinafter provided, and every person shall annually pay in advance for the said license a fee of five rupees.

Licenses to be granted in Bombay by the Municipal Commissioner on behalf of Justices, and in the Mofussil by the Collectors on behalf of Government.

III. Every license under the preceding Section shall, in the City of Bombay, be granted by the Municipal Commissioner for the City of Bombay on behalf of the Justices, or by some person duly authorised by him on that behalf, and in the Mofussil by the Collectors on behalf of the Government, and every such license shall be in the form of the Schedule (B) annexed to this Act.

IV. Every license shall have effect and continue in force from the date of the grant thereof until the next 31st day of December ensuing: Provided that any person to whom such license shall be granted after the 1st day of July of any year shall pay only one-half of the fee specified in Section 2.

Licenses to be granted annually.

Proviso.

V. Every person to whom any license shall have been granted, and who shall be desirous of having it renewed after its expiration, as in the preceding Section provided, shall take a fresh license for that purpose for the following year, and shall renew the same from year to year, subject to the annual payment of the fee specified in Section 2, so long as he shall desire.

Licenses may be renewed.

VI. Every person taking out a license under this Act shall deposit a copy of the same in the Office of the Senior Magistrate of Police in Bombay, if such person resides in Bombay; or if such person resides in the Mofussil, in the Office of the nearest Magistrate having local jurisdiction.

Copy of License to be deposited with Senior Magistrate of Police or District Magistrate.

VII. If after the expiry of two months from the date when any person is, by Sections 2 and 5 of this Act, required to take out a license or renew the same, such person shall sell any of the poisonous drugs or deleterious substances specified in Schedule (A) without having duly taken out a license in accordance with the provisions of this Act, and deposited a copy of the same in the Office of the Senior Magistrate of Police or other Magistrate, as required by the preceding Section, he shall be liable, on conviction before a Magistrate, to be punished with fine, or with simple imprisonment for a term which may extend to one year, or with both.

Penalty for selling Poisons without a License.

VIII. Any person required by this Act to take out a license who shall without reasonable excuse neglect or refuse to produce and show his license, when required to do so by an officer duly empowered in writing by the Municipal Commissioner in Bombay or by the Collector in the Mofussil to make such requisition, shall, on conviction before a Magistrate, be liable to a penalty not exceeding one hundred rupees.

Penalty for refusing to produce License when required to do so.

IX. Every licensed retailer of poisons who shall sell any of the poisons specified in Schedule (A) shall forthwith, and before the delivery of such poison to the purchaser, enter or cause to be entered in a fair and regular manner, in a book or books to be kept by such person for that purpose, in the form set forth in the Schedule (C) annexed to this Act, or to the like effect, a statement of such sale, with the name of the poison and quantity thereof so sold, and the purpose for which such poison is required or stated to be required, and the day of the month and year of the sale, and the name, place of abode, and condition or occupation of the purchaser, into all which circumstances the person selling such poison is hereby required and authorised to inquire of the purchaser, before the delivery to such purchaser of the poison sold; and such entries shall in every case be signed by the person making the same, and shall also be signed by the

On every sale of Poison, particulars of sale to be entered in a book by the seller in form set forth in Schedule (C) to the Act.

purchaser, unless such purchaser profess to be unable to write (in which case the person making the entries hereby required shall add to the particulars to be entered in relation to such sale the words "cannot write") and, where a witness is hereby required to the sale, shall also be signed by such witness, his place of abode being so entered.

Restrictions as to sale of Poisons.

X. No person shall sell any of the poisons specified in Schedule (A) to any person who is unknown to the person selling such poison, unless the sale be made in the presence of a witness who is known to the person selling the poison, and to whom the purchaser is known, and who signs his name, together with his place of abode, to such entries, before the delivery of the poison to the purchaser; and no person shall sell poison to any person other than a person of full age.

Provision for colouring arsenic.

XI. No person shall sell any arsenic unless the same be, before the sale thereof, mixed with soot or indigo in the proportion of one ounce of soot, or half an ounce of indigo, at the least, to one pound of the arsenic, and so in proportion for any greater or less quantity: Provided always, that where such arsenic is stated by the purchaser to be required, not for use in agriculture, but for some other purpose, for which such admixture would, according to the representation of the purchaser, render it unfit, such arsenic may be sold without such admixture in a quantity of not less than ten pounds at any one time.

Penalty for offending against Sections 9, 10 and 11 of the Act.

XII. If any licensed retailer of poisons shall sell any of the poisons specified in Schedule (A) save as authorised by Sections 9, 10 and 11 of this Act, or on any sale of poison shall deliver the same without having made and signed the entries hereby required on such sale, or without having obtained such signature or signatures to such entries as required by this Act, or if any person purchasing any poison shall give false information to the persons selling the same in relation to the particulars which such last-mentioned person is hereby authorised to inquire into of such purchaser, or if any person shall sign his name as a witness to a sale of poison to a person unknown to the person so signing as witness, every person so offending shall, for every such offence, upon a summary conviction for the same before a Magistrate, be liable to a penalty not exceeding two hundred rupees.

Act not to prevent sale of Poisons in medicine under a medical prescription, or wholesale dealing in Poisons.

XIII. Provided that this Act shall not extend to the sale of any poison when the same forms part of the ingredients of any medicine required to be made up or compounded according to the prescription of a legally qualified Medical Practitioner, or a member of the Medical Profession, or to the sale of poisons by wholesale to retail dealers upon orders in writing in the ordinary course of wholesale dealing.

Forfeiture of License for breach of Rules regarding sale of Poisons.

XIV. A retail dealer failing to conform to any of the Rules laid down in Sections 9, 10 and 11 shall, in addition to the penalty assigned to the offence by Section 12, be liable to the forfeiture of his license, on intimation to that effect by the Municipal Commissioner for the City of Bombay in Bombay, or the Collector of the District in the Mofussil.

SCHEDULE A.

(Referred to in Section 2.)

VEGETABLE POISONS.

Name of Plant.	Part of Plant used.	Native name of Poison.
Aconitum Napellus ...	The root	Bishnak and Butchnab.
Attropa Belladonna ...	The berry (Deadly Nightshade)	Girboolee.
Cannabis sativa	The herb and the resin ...	Bhang, Ganja.
Cocculus Indicus, Animirta Cocculus.	The berry	Kakmari.
Conium maculatum ...	The fruit called Hemlock seed	Keerdamana.
Croton Tiglium	The seed (Croton seed) ...	Jamalgota.
Datura Metel ... ... Datura Hummattu *var* fastuosa	The seed (Dhatura) ...	Kala-dhatura and Dhatura.
Helleborus niger	The root (Black Hellebore) ...	Kalikootkee.
Hyoscyamus niger ...	The seed (Faba porcina, Faba suilla).	Khorassanee ajwan.
Ignatia amara	The seed (St. Ignatius's Bean)	Papeeta.
Mandragora officinalis ...	The root (Mandrake) ...	Yebruj.
Methonica superba ...	The root	Karianag.
Papaver sumniferum ...	The pounded herb, dry capsule, and concrete juice of the immature capsule, or opium.	Afeem.
Strychnos Nux-vomica ...	The seed (Nux-vomica) ...	Koochila and Kajra.
Strychnos potatorum ...	The seed (Clearing-nut) ...	Nirmullee.
Wrightia antidysenterica ...	The bark and seed ...	Inderjo.
Wrightia tinctoria ...	The bark and seed ..	Kala-kooda.

MINERAL POISONS.

Name of Poison.	Native Name.
Antimony.	
Sulphuret of Antimony (crude Antimony)	Soorma.
Arsenic.	
Arsenious Acid	Phuthya Somul.
White Oxide of Arsenic	Shunkhya Somul.
White Arsenic	Dalimbya Somul.
Red Arsenic	Gajria Somul.
Yellow Arsenic	Huldya Somul.
Red Sulphuret of Arsenic	Munsheel.
Yellow Sulphuret of Arsenic	Hurtall.
Copper.	
Sulphate of Copper (Blue Vitriol, Bluestone) ...	Morechoot.
Acetate of Copper (Verdigris)	Jungla.
Lead.	
Red Oxide of Lead (Red Lead)	Shendoor.
Carbonate of Lead (White Lead)	Supheta.
Accetate of Lead (Sugar of Lead)	No Native name.
Mercury.	
Bichloride of Mercury (Corrosive Sublimate) ...	Ruskapore.
Red Oxide of Mercury	Hingool.
Zinc.	
Sulphate of Zinc (White Vitriol)	Justachaphool.

SCHEDULE B.

(Referred to in Section 3.)

FORM OF LICENSE FOR THE SALE OF POISONOUS SUBSTANCES.

I, A. B., hereby license C. D., inhabitant of to sell by retail within the District (City, or Town, Village) of from the date hereof to the 31st December next, the poisonous substances specified in Bombay Act No. of 186 . The said C. D. will conform to the rules contained in the said Act, on failure whereof and on intimation to that effect by the Municipal Commissioner (or Collector), this license shall be held to be forfeited and annulled.

(Signed) A. B.,
Municipal Commissioner (or Collector).

____________________ *Office,*

SCHEDULE C.

(Referred to in Section 9.)

FORM OF ENTRY OF SALE OF POISON.

Day of Sale.	Name and Surname of Purchaser.	Purchaser's place of abode.	Condition or occupation.	Poison sold.	Quantity sold.	Purpose for which required or stated to be required.

Purchaser's Signature, or, if purchaser cannot write, his mark to be put for him, and the words "cannot write" added.

Witness's Signature.

Seller's Signature.

STATEMENT OF OBJECTS AND REASONS.

On the 27th August 1864 the Honorable Mr. Cassels moved for leave to introduce, into the Council of His Excellency the Governor of Bombay for making Laws and Regulations, a "Bill for regulating and restricting the sale of Poisons in the Bombay Presidency."

In doing so he explained that many startling cases had recently occurred, which showed the desirability of restricting the opportunities of obtaining poisons in Bombay. Arsenic and other poisonous drugs were freely sold in the bazar, and every facility was offered to crime from the difficulty of tracing a purchaser. Mr. Cassels, in speaking to the motion, used the following words: " A lamentable case of poisoning recently occupied the attention of the High Court, in which, through some flaw in evidence, the guilty parties unfortunately escaped punishment. I find that three cases of poisoning by arsenic, which a medical friend of my own has since had under his care, must be considered as the result of this immunity. During the last few days public horror has been excited by the poisoning of some fifteen or sixteen children of the Byculla Schools; and although happily no fatal result has ensued, it is clear that, if arsenic can thus with impunity be sown broadcast about our streets and gardens, some great mischief must sooner or later ensue." Mr. Cassels added that though in the Mofussil some restriction was put upon the sale of poisons, still the existing law was not sufficient to check " this growing evil," and that a more comprehensive measure was required. Mr. Cassels felt that, in a country " where poison grows rankly in every hedgerow, it was impossible altogether to control it," but he thought that at least that which legislation had done in England and other countries should be tried in India, and he proposed to bring in a " Bill which should be based upon English Acts and established principles of law."

Mr. Cassels obtained leave to bring in the Bill, but his attention was so fully engaged with the Bombay Municipal Bill during the last few months of his stay in India, that he had not an opportunity of introducing the proposed Bill for regulating and restricting the sale of poisons.

It seems desirable, however, that the measure should be proceeded with. Mr. Cassels, in the remarks quoted above, gave ample reason why the existing law in the Mofussil should be amended, and why a restrictive enactment should be passed also for the City of Bombay.

The present Bill repeals the existing law on the subject, and re-enacts with certain modifications its provisions regarding the grant of licenses to retailers of poisonous drugs. The list of poisons referred to in the present law has been revised; and the restrictions placed by the English Arsenic Act (14th and 15th Vict., C. XIII) on the sale of arsenic are embodied, with necessary alterations, in the sections of the Bill which more especially regulate the actual sale of the poisons specified in the schedule.

This Bill, which has been entrusted to my charge by His Excellency the Governor, is introduced in pursuance of the leave given on the 27th August 1864.

The Bill and this Statement of Objects and Reasons should be translated into Marathi, Guzerathi, Canarese, and Sindhee.

RUSTOMJEE JAMSETJEE JEJEEBHOY,

By order of the Hon. the Governor in Council.

H. BIRDWOOD,

Under Secy. to the Govt. of Bombay.

POONA,
The 30th August 1865.

From W. E. WARD, Esq., Officiating Under Secy. to the Govt. of India, Home Department, to the Secretary to the Governments of Madras, Bengal, North-Western Provinces, and the Punjab, and the Chief Commissioners of Oudh, Central Provinces, and British Burma,—Nos. 4707-4713, dated the 30th November 1865.

I am directed to forward a copy of the papers noted in the margin,* relating to a proposal to restrict by law the possession and sale of poisons, and to request that the Governor General in Council may be favoured with † whether such a measure for all India would be likely to be productive of good, without proving at the same time an engine of oppression.

* From General Superintendent of Operations for the Suppression of Thugge and Dacoity, No. 930, dated 13th September, ond annexures.

† Madras ... the opinion of His Excellency the Governor in Council.

Bengal ... N.-W. Provinces... Punjab ... } the opinion of His Honor the Lieutenant-Governor.

Oudh ... British Burma ... Central Provinces } your opinion.

From C. BERNARD, Esq., Secretary to the Chief Commissioner of the Central Provinces, to E. C. BAYLEY, Esq., Secretary to the Government of India, Homo Department,—No. 4561-396, dated Nagpore, the 21st December 1865.

In reply to your letter marginally noted, I am directed to submit an expression of Mr. Temple's views upon Colonel Hervey's proposal to restrict by law the possession and sale of poisons.

No. 4712 of the 30th November.

2. I am to premise that in these Provinces gang-poisoning, by professional poisoners or thieves, is of extremely rare occurrence. During the two years 1863 and 1864 no case of murder or robbery by professional poisoners was reported. Two cases in which poison had been administered were reported early in 1863; these cases bore some of the features of professional poisonings, but the crime was in each case apparently committed by a single traveller, and since then no more cases of the kind have been reported.

3. In these Provinces, as elsewhere, persons who commit murder from hate, revenge, &c., occasionally employ poison.

4. It has, as Colonel Hervey observes, been said with much truth that an enactment restricting the sale of poisons would not check professional poisoning in a country where strong vegetable poisons grow wild round every village, by every roadside, and in every jungle. And, indeed, it may be questioned whether any restriction regarding the possession of poisons would have much practical effect. It would probably not be considered expedient to grant every constable authority to search, without a warrant, every traveller for poisons. Such search ought not, Mr. Temple apprehends, to be legal except under warrant from a Magistrate. If every policeman had full authority to search all persons whom he suspected of possessing poisons, such authority might certainly become an engine of oppression.

5. On the whole, Mr. Temple is of opinion that a legislative enactment restricting the possession of poisons would not be productive of

good. But he is certainly of opinion that an enactment restricting, as does the Bombay Bill* forwarded with your letter, *the sale* and *possession for sale* of poisons would be productive of good.

* No. IX of 1865.

6. Such an Act could not be open to abuse, any more than the many licensing Acts already in force, *e. g.*, license to sell stamps, liquor, opium, &c. Its provisions would to some, though but to a very small, extent narrow the sources from which professional poisoners could obtain poisons. But it would serve greatly to check the use of poisons in ordinary murders. Such murders are, for the most part, perpetrated in towns; they are often committed by women, and generally the murderer or murderess buys the poison a very short time before he or she is going to use it. Often the necessity for writing down the purchaser's name, and for taking a witness to see the purchase, would operate to deter an intending purchaser of poisons. In a town vegetable poisons would not be so easily obtainable as in a country village, and residents of towns (females especially) are not generally very conversant with properties of poisonous vegetables. Ordinary town-people, if they could not buy poisons from the neighbouring *pausaree* (native druggist) would find much difficulty in procuring poisons at all.

7. Further, a law restricting the sale of poisons would materially aid the Police in tracing murderers who had used poisons.

8. On the whole, then, Mr. Temple, while he would not recommend a legislative enactment restricting the possession of poisons, would certainly consider that a law restricting the *sale or possession for sale* of poisons would be productive of good.

From Lieutenant-Colonel A. P. Phayre, C.B., Chief Commissioner of British Burma and Agent to the Governor General, to E. C. Bayley, Esq., Secretary to the Government of India, Home Department,—No. 396½, dated Akyab, the 30th December 1865.

I have the honor to acknowledge the receipt of letter No. 4713, dated the 30th ultimo, from Mr. Under Secretary W. E. Ward, with enclosure, relating to a proposal to restrict by law the possession and sale of poisons.

2. I consider that a law such as that proposed for the Bombay Presidency would be suitable and desirable for British Burma if limited to certain towns. But it would be likely to become an engine of oppression were it to be made generally applicable. There have not hitherto been instances of a criminal use of poisons and deleterious drugs as generally existing brought to light in this Province; so that, except in towns, it does not appear to me that any legislative enactment is at present called for.

3. In towns the act of suicide by taking poison is by no means uncommon in Burma; and on this account I should recommend that any Act for regulating and restricting the sale and possession of poisons be so framed that it may be made applicable to particular towns, or within particular boundaries and districts, as circumstances may render advisable.

4. The general provisions of the Bill for the Bombay Presidency as to annual licenses, books for entries of sale of poisons, and for colouring arsenic, appear well calculated to attain the object in view.

From MAJOR J. REID, Secretary to the Chief Commissioner of Oudh, to E. C. BAYLEY, Esq., Secretary to the Government of India, Home Department,—No. 255, dated Lucknow, the 17th January 1866.

Letter from General Superintendent of Operations for the Suppression of Thuggee, No. 930, dated 13th September.

Bill to regulate and restrict the sale of poisons in the Bombay Presidency.

Statement of Objects and Reasons.

With reference to your letter No. 4711, dated 30th November last, forwarding copy of papers marginally noted, and calling for the Chief Commissioner's opinion whether "the restriction by law of the possession and sale of poisons would be likely to be productive of good, without proving at the same time an engine of oppression," I have the honor to annex copies of letters Nos. 30 and 359, of 10th January 1866 and 20th December 1865, from the Judicial Commissioner and Inspector-General of Police, and to submit the following observations.

2. The restrictions on the sale of poison proposed by the Bombay Bill are unobjectionable; but the Chief Commissioner concurs with Colonel Hervey that merely to restrict the *sale* of poisons would not be sufficient, as dhatoora, the poison commonly employed, is to be had everywhere, and is not usually obtained by purchase. The *possession* of poisons is what we should try to prevent. Undoubtedly to empower Police Officers to stop persons and search them for poison would place in their hands a power likely to be abused, though the Chief Commissioner thinks the danger is somewhat exaggerated. The possession of opium exceeding five tolas in weight is (with special exceptions) a penal offence, and Police Officers have the power of seizure and search, but the instances of their exercising it are very rare. The risk of abuse of power might be lessened by confining the authority to search for poison to the persons of travellers or others whose place of residence is unknown.* The power of search might be restricted to Police Officers of a certain rank, and special provision be made for their acting without reasonable ground of suspicion, as in the Abkaree Act XXI of 1856, section 67.

* *Vide* paragraph 5 of Judicial Commissioner's letter.

3. The Chief Commissioner fears, however, that no law against either possession or sale of poisons would be of much avail to put a stop to those cases of poisoning which in this Province are the most common and the most difficult to deal with, *viz.*, where the person poisoned and robbed is a traveller. The great obstacles to detection in these cases have been the impossibility of identifying the deceased where death ensued, and the reluctance of the parties to prosecute in cases when they recover; in these cases the crime is often not even known. Then, again, there is another difficulty which would often render the power of search by Police of no avail. Dhatoora can be mixed up with tobacco or opium, and in a piece of either it could not be detected by the Police.

4. In conclusion, the Chief Commissioner would suggest that, if a legislative enactment be passed, all offences against it should be triable only by officers exercising the full powers of a Magistrate.

From Major R. H. M. Aitken, V.C., Inspector-General of Oudh Police, to Major J. Reid, Secretary to the Chief Commissioner of Oudh,—No. 359, dated the 20th December 1865.

I have the honor to acknowledge receipt of your No. 4228 of 13th December 1865, forwarding (copy) No. 4711, from the Officiating Under Secretary to the Government of India, and enclosures, regarding proposal to limit the sale and possession of poisons.

2. I quite agree with Colonel Hervey that to limit the scope of the Act to the sale of poisons would have no effect. The poison most commonly used for drugging in robbery cases is dhatoora, which is easily procurable without purchase, growing wild, as it does, near almost every village. I think that a Bill making criminal the possession of certain poisons would have a most beneficial effect in putting down robbery by drugging; but, undoubtedly, it would open the door to possible oppression. Perhaps this danger would be lessened by confining the scope of this part of the Act to the possession of poisons by travellers, *i. e.*, by persons unknown in the place where apprehended, as no poisoner-robber commits his crime where he is known; also of a traveller and unknown, it is very unlikely that a false case would be got up, as there would be no ground for enmity on the part of any one residing in the locality. The danger to be guarded against would be a dishonest Police Officer wishing to get up a name for himself in a locality where drugging cases had occurred. He could much easier prove, or appear to prove, that poison was found on the person of a traveller, than prove that the said traveller actually committed a "robbery by poison:" no recognition by the victim in the former case would be necessary as in the latter.

3. The crime of "robbery by drugging" is certainly, I believe, on the increase lately. It is easily committed, and any measure which will assist the Police in putting down the horrible practice under reference is greatly to be wished for. I would, however, take exception to Colonel Hervey's remarks as regards the non-success of the Police in such cases, at all events as regards this Province. The Oudh Police have had more than ordinary success in such cases, as I hope to show in the annual report. In only one case have the Fyzabad Police failed to apprehend, and in Fyzabad such cases have been more numerous than elsewhere. In addition, the apprehensions, in Oudh cases tried by the Thuggee Department in the last year of its existence at Lucknow, were nearly all effected by the Police and chowkeedars.

4. A considerable number of poisoner-approvers were made over to this Department when the Thuggee establishment was abolished, and they are employed in every district where cases occur. On the whole, unless such crimes should much increase in this Province, I see no necessity for any special detective establishment beyond what now exists, and which is superintended by myself.

5. These remarks apply to poison cases. The cases where strangling has been employed, as in three cases lately, of Oonao and Lucknow Dis-

tricts, have quite baffled the Police and thuggee approvers (both stranglers and poisoners); and in this respect are similar to the mysterious murders of 1861-62 of Oonao District, where the whole strength of the Thuggee as well as Police establishment was employed without success. I have placed myself in communication with Colonel Hervey on the subject of the above three murders, but as yet no light has been thrown on the cases. It is very doubtful whether the victims in these cases were first drugged; indeed the evidence would appear to prove the contrary, as, in addition to ropes being tied round the necks of the victims, the marks of violent blows on the head, or other violence, were observable in all three cases. This would hardly have been done if the men were first drugged and then strangled; at the same time I have no doubt the criminals are professionals.

From SIR G. COUPER, Bart., C.B., Judicial Commissioner of Oudh, to MAJOR J. REID, Secretary to the Chief Commissioner of Oudh,—No. 30, dated Lucknow, the 10th January 1866.

In reply to your communication No. 4227, dated 13th ultimo, I have the honor to state that a law for the suppression of the sale of poisons can be of little or no effect in a country in which dhatoora grows luxuriantly in the vicinity of every road and village.

2. Whether the possession of dhatoora should be punished is a perplexing question, for there is much to be said on both sides.

3. On the one hand, it is certain that a person who has dhatoora, pure and simple, about him, can have it for no good end, as it can be turned to no ordinary purpose whatever, save that of poisoning.

4. On the other hand, to make its possession penal would be to put a powerful means of revenge into the hands of the unprincipled and the spiteful. For nothing could be more easy than to secrete a few dhatoora pods in a tobacco-pouch, betel-box, or other chance receptacle which an enemy might have about him. It would, moreover, be a temptation to the Police, especially in sending up cases under chapter 19 of the Code of Criminal Procedure, to "find" some dhatoora on the person of the suspected party.

5. On the whole, however, I am inclined to think that it would be as well to add the following words to section 295 of the Procedure Code:—

"And if the person in question shall be proved, to the satisfaction of the Magistrate, to have dhatoora, or any other poison, in his possession, of which he cannot give a satisfactory account, he shall be liable to imprisonment of either description for a period not exceeding two years."

6. This will, I think, reduce the chance of oppression to the minimum; for, even if a Magistrate were too readily satisfied of the fact of possession, the injury would fall on a member of a worthless and dangerous class, with which, in my opinion, chapter 19 of the Procedure Code deals far too leniently, and would be productive of no evil, nor cause any fear to society at large.

From R. SIMSON, Esq., Secretary to the Government of the North-Western Provinces, to E. C. BAYLEY, Esq., Secretary to the Government of India, Home Department,—No. 229A, dated Allahabad, the 2nd April 1866.

I am desired to acknowledge receipt of your letter No. 4709, of the 30th November last, requesting the opinion of the Lieutenant-Governor on the propriety of passing a law to restrict the possession and sale of poisons in India.

2. In reply I am directed to state that the Lieutenant-Governor has no doubt that the regulation and restriction by legislative enactment of the sale of poisons is very desirable. The question whether the possession of poisons without a license should also be made penal is a more difficult one; there is the danger that such a law might be productive of oppression, while on the other hand some of the most deadly poisons are so easily procurable that a mere restriction of their sale would be of comparatively little utility.

3. His Honor is inclined to think that the possession of the more common poisons, such as arsenic, dhatoora, *nux vomica*, &c., *without good and sufficient reason*, ought to be prohibited by law. This would not interfere with persons who require to possess these poisons for any lawful purpose; while it would admit of the punishment of wandering gangs of professional poisoners, such as have lately been discovered in these Provinces, who may be apprehended, under circumstances of strong suspicion, with poisonous substances in their possession, but against whom full legal proof of actual administering of poison may be wanting.

4. A copy of a letter* from the Registrar of the Sudder Court upon this subject is enclosed.

* No. 302, dated 21st March 1866.

From J. SIMSON, Esq., Registrar of the Court of Nizamut Adawlut, North-Western Provinces, to R. SIMSON, Esq., Secretary to the Government of the North-Western Provinces,—No. 302, dated Agra, the 21st March 1866.

PRESENT:
W. Roberts, Esq., and F. B. Pearson, Esq., *Judges*; R. Spankie, Esq., and G. D. Turnbull, Esq., *Officiating Judges*.

I am directed to acknowledge the receipt of Mr. Under Secretary Tyrrell's letter and its enclosures, No. 914A, dated 20th December 1865, in which an expression of the opinion of the Court is requested on the proposal contained in a communication from the General Superintendent of Operations for the Suppression of Thuggee and Dacoitee to restrict by law the possession and sale of poisons.

2. In reply I am directed to state that the majority† of the Court approve of the proposed Bill as regards the *sale* of poisons, but they hesitate to go further and to make the *possession* of such poisons penal; as many substances which are poisonous if administered in large quantities, are used as medicines, and the purchaser frequently keeps a quantity in possession for use. The operation of this part of the General Superintendent's proposed law would, in the opinion of the majority, be so oppressive that the remedy would be worse than the disease.

† Messrs. Roberts, Pearson, and Spankie.

3. Mr. Ross (whose remarks on the subject were recorded before his departure on leave) believed that the passing of such a law as that pro-

posed by Colonel Hervey would be a highly beneficial measure, and one which he saw no reason to believe would prove in any way an engine of oppression. He observed that there was, of course, risk of oppression in all repressive or protective laws, against which it would be the duty of the administrators of the law to watch carefully.

4. Mr. Turnbull would restrict the possession as well as the sale of certain poisons, such as arsenic and dhatoora, and perhaps one or two others, but not of all those specified in the Schedule of the Bill. It seems to Mr. Turnbull that where the vegetable poisons more commonly used are so easily procurable, their *possession* rather than their sale should be restricted.

5. The enclosures of Mr. Tyrrell's letter are returned as requested.

From R. SIMSON, Esq, Secretary to the Government of the North-Western Provinces, to E. C. BAYLEY, Esq., Secretary to the Government of India, Home Department,—No. 515A, dated Nynee Tal, the 17th July 1866.

In continuation of my letter No. 229A, of the 2nd April last, I am desired by the Honorable the Lieutenant-Governor to state, as an evidence of the urgent necessity which exists for early legislation to restrict the possession and sale of poisons in India, that during the past six months the Chemical Examiner for these Provinces has had under examination no fewer than 12 cases, in which arsenic has been proved to have been used with intent to commit murder.

2. The actual victims in these cases were 17 in number.

3. I am to request that His Excellency the Governor General in Council may be moved to take this subject into his early consideration.

From A. MACKENZIE, Esq., Officiating Under Secretary to the Government of Bengal, to E. C. BAYLEY, Esq., Secretary to the Government of India, Home Department,—No. 2464, dated the 13th April 1866.

I am directed to acknowledge the receipt of your Office letter No. 4708, dated the 30th November last, with enclosures, and to submit, for the consideration of His Excellency the Governor General in Council, the Lieutenant-Governor's views on the question of restricting by law the possession and sale of poisons.

2. In His Honor's opinion a law, similar to that projected in Bombay, prohibiting the sale of poisons except under license, might be made applicable to Bengal without much risk of abuse and with immediate advantage. In towns it could be effectually administered, and in rural stations its administration, though probably imperfect, would have some good effect and could do no harm. His Honor would add a provision similar to that in the Excise Law (XXI of 1856) for rewarding informers in cases where the offence is only that of selling poisons or exposing them to sale without license.

3. The Lieutenant-Governor thinks also that the possession of poisons commonly used to destroy life should likewise be made penal, and

certainly the act of mixing poison with food, or of preparing poison in a shape in which it may be administered with food, is an offence which ought to be made punishable, even when it does not amount to an attempt to administer. These are not offences in regard to which the agency of informers could be safely used or for which the Police could well be entrusted to apprehend without warrant, but it may often happen that persons charged with a grave crime and apprehended on such a charge may be found to have had possession of poison and to have prepared it for use under suspicious circumstances, though there may be no sufficient evidence of an intent to administer it.

4. As regards the *sale* of poisons, the Lieutenant-Governor sees no reason to exempt any of the substances mentioned in the Schedule annexed to the Bombay Draft Act; but the mere possession of such poisons as opium and bhang could hardly be punished, except as an offence against the Excise Laws, and in the case of *soorma* (antimony), which is commonly used in India as an ornament, but seldom or never as a poison, its possession could not be prohibited without causing annoyance disproportionate to the object to be gained.

From A. J. ARBUTHNOT, Esq., Chief Secretary to the Government of Fort St. George, to E. C. BAYLEY Esq., Secretary to the Government of India, Home Department,—No. 746, dated the 17th May 1866.

In reply to Mr. Under Secretary Ward's letter of the 30th November 1865, No. 4707, requesting the opinion of this Government as to the advisability of legislative action in the matter of regulating and restricting the sale of poisons, I am directed to forward copy of a letter received from the officers noted in the margin, who were requested to form a committee and to submit a report showing the present state of the law regarding the sale of poisons, and of what amendment, if any, it was susceptible.

Principal Inspector-General, Medical Department.
Inspector-General of Police.
Advocate-General.

2. The conclusion arrived at by the committee is that, in preventing the criminal use of poisons and in facilitating detection, the result likely to be obtained by the introduction of a measure such as that proposed in Bill IX of 1865 (Bombay), would be in no way commensurate with the labour and expense to Government, or with the general annoyance and oppression which the inquisitory nature of its provisions would involve. They observe that, to have any effect, the unlicensed *possession*, as well as the sale, of poisons must be made penal; that under such a law it might be possible to restrict the use of mineral poisons, but that this restriction would only reach mineral poisons, and would direct the poisoner to the use of *vegetable* poisons, which are easily procured, require no preparation, and the presence of which it is impossible to detect. The committee further remark upon the enormous additional labour which would be thrown upon the Police, and the absence among them of that special knowledge which is requisite for a thorough supervision of the sale of poisonous drugs.

3. Adverting to the reply* made by the Governor General in Council to a previous application from this Government regarding the same subject, I am desired to observe that, in the correspondence† forwarded with your letter, no new matter appears to be suggested, and to state that the Right Honorable the Governor in Council, concurring with the opinions expressed in the report of the Madras Committee, does not consider it advisable to restrict by general legislation the sale and possession of poisons.

* From Under Secretary to Government of India, to Assistant Secretary to Government of Madras, Legislative Department, No. 7030, dated 29th December 1864.

† From General Superintendent of Operations for the Suppression of Thuggee and Dacoitee, Simla, No. 930, dated 13th September 1865.

From J. D. MAYNE, Esq., Officiating Advocate-General, J. SHAW, Esq., Officiating Principal Inspector-General, Medical Department, and W. ROBINSON, Esq., Inspector-General of Police, to A. J. ARBUTHNOT, Esq., Chief Secretary to Government of Fort St. George,—No. 673, dated Madras, the 26th April 1866.

We have considered the questions submitted to us in the order of the Government No. 239, dated 16th February 1866, and now submit our report thereon.

1. There is no general law in India at present by which either the possession or sale of poisons is rendered penal, or is restricted to persons licensed to sell such drugs. The state of the law as regards the detection and punishment of offences of poisoning is clearly detailed in the letter of the Government of India No. 1545, dated 6th March 1863. No change has been made in the law since that date.

2. We do not think that any measure, such as that contained in Bill IX of 1865 (Bombay), is desirable; that is to say, we do not think that it would accomplish any result either in the way of preventing poisoning, or of furnishing facilities for its detection, which would compensate for the expense of carrying out the measure, for the additional labour which it would cast upon the executive, and for the annoyance and oppression to which it would give rise.

3. With regard to mineral poisons, there is no doubt that they are frequently resorted to; arsenic figures prominently in the records of the Criminal Courts, probably because its presence is so easily detected. A law such as that suggested would certainly render it more difficult to procure it and poisons of the same class; but to make such a law really effective, it would be necessary to go much further, and to render the unlicensed possession of such drugs penal, as well as their sale. Arsenic is largely used by native practitioners as a medicine. Their possession of it in considerable quantities would be innocent, and it would still be easy enough to procure it from them, or from others who had become innocently possessed of it, without any infraction of the provisions of the proposed law. It would be generally impossible to prove a sale, and without a sale there would be no offence. But if the mere possession were constituted an offence, this could rarely, if ever, be discovered until the commission of a crime had brought it to light. The law would be valueless as a means of preventing poisoning, though it might in some

cases be used for the purpose of inflicting a minor punishment upon a party who was acquitted of the heavier charge.

4. As regards the much more dangerous class of vegetable poisons, the law could have no effect whatever. Many of these, such as *Cannabis Sativa*, *Croton tiglium*, and *Dhatoora* are of common growth, and a person who wanted them for criminal purposes would not purchase them from a dealer, but would pick them up in the nearest field. We are of opinion then, that, for purposes of prevention, the proposed law would, in the case of mineral poisons, have an infinitesimal effect, and in the case of vegetable poisons would have none at all.

5. We do not believe that the law would have any effect in facilitating the detection of crime. Supposing it to be rigorously enforced, the probable result would be that upon the discovery of a case of poisoning by arsenic, for instance, a search into the books of the licensed dealers would show a few sales to native doctors or agriculturists, but to no one who could in any way be connected with the crime. But it must be remembered that the law would not be rigorously enforced. It would require a very large sale of poisonous drugs to make it worth any man's while to pay a license fee of rupees five annually in advance. Except in very large towns, the law would be evaded; and the only result would be that, after a murder, the vendor, who has now no interest in concealing the sale, would withhold his evidence to screen himself from the penalties of the licensing law. If, however, the difficulty of purchasing arsenic, &c., was sensibly increased, the immediate effect would be to drive intended criminals to the use of vegetable poisons, whose detection in the system is as difficult as that of the mineral poisons is easy. Here, again, we see no advantage in the proposed law, but rather the reverse.

6. Further, we doubt the possibility of enforcing any such law without entailing enormous additional labour upon the Police, or without adding to, or altering the character of, the Force. It would be no slight matter to supervise the sale of poisonous drugs in every village in India; and to do so with effect would require a knowledge of mineralogy and of botany, which can hardly be expected from the ordinary policeman. Indeed, the Superintendent of the Thuggee Department, in his letter of the 13th December 1865, seems to admit the necessity of "supplementing the Police with a detective organisation, under a single but not independent administration, for the purpose of more effectually repressing this and other heinous crimes of the same exceptional character." We are not aware of any other exceptional crimes in this Presidency which require such an organisation. We cannot disguise from ourselves that a body of officials, armed with the powers of search and enquiry necessary to enforce any really effective law of the sort now suggested, would, before very long, be felt to be a nuisance of the first magnitude, and would be resented as an evil far greater than any they would prevent.

7. On the whole, we are of opinion that poisoning, though undoubtedly a common form of crime, must be left to the ordinary resources of the law. It might be possible to check the use of arsenic and other mineral poisons which require careful preparation, but the result would only be to direct the poisoners to vegetables which require no preparation, and whose presence it is impossible to trace. An active Police, ready to take immediate cognizance of suspicious deaths, and prompt medical

examination, furnish as much security against undetected crime as a Government can afford. As long as motives for poisoning exist, the means will never be wanting.

From T. H. THORNTON, Esq., Secretary to the Government of the Punjab, to E. C. BAYLEY, Esq., Secretary to the Government of India, Home Department,—No. 1257, dated Murree, the 3rd October 1866.

In reply to your letter No. 4710, dated 30th November 1865, I am desired by the Honorable the Lieutenant-Governor to convey the following remarks upon the proposal to restrict by law the possession and sale of poisons.

2. To enable him to form a confident judgment as to the necessity for legislation on the subject, and the probable efficacy of the means proposed for effecting the object aimed at, the Lieutenant-Governor deemed it desirable to procure statistics, showing for this Province the extent of the evil it is sought to remedy, and the circumstances under which poisoning cases occur.

3. Accordingly, returns were called for from District Officers showing

(1) The number of cases of poisoning believed to have occurred during the last three years.

(2) The poison used (if known).

(3) Whether administered by accident or design.

(4) The quarter whence obtained.

And returns were also called for from the several dispensary hospitals in the Province, showing the number and nature of cases of poisoning admitted for treatment during the last three years.

4. According to the former of these returns, it appears that there were during the years 1863, 1864, and 1865, 218 cases of supposed poisoning brought to the notice of the Police, of which, 63 cases ended fatally. According to the dispensary returns, there were, during the same period, 268 persons treated as suffering from poisons, of whom 19 died. Many of the cases shown in the Deputy Commissioners' returns may be considered open to doubt, and many are the same as those included in the dispensary returns; but, putting the two returns together, it may be pretty safely asserted that not less than 100 persons per annum in the Punjab suffer from poison. In the majority of cases returned by dispensary officers, the poison is believed to have been administered by design.

5. Under these circumstances, His Honor is of opinion that, so far as this Province is concerned, special measures are called for restricting, if possible, the use of poisons.

6. Again, it would appear from both the returns that, in the great majority of cases, the poison taken or administered was either dhatoora, opium, or arsenic, and chiefly dhatoora. In the Deputy Commissioners' returns, out of 218 cases, 80 were cases of poisoning by dhatoora, 57 by arsenic, 38 by opium, 2 by corrosive sublimates; in 32 cases the poison was unknown. In the few remaining cases vegetable poisons, such as croton seeds, or the milk of the mader plant, was used. In the dispensary returns, out of 268 cases, 109 were cases of poisoning by dhatoora, 31 by arsenic, 85 by opium; in 15 cases the poison was unknown, and in the few remaining cases the poisons were chiefly vegetable.

7. From the above it appears that, in the great majority of poisoning cases, the poisons taken or administered are vegetable poisons of common growth; and, under these circumstances, His Honor concurs with Colonel Hervey in considering that the mere placing restrictions on the *sale* of poisons, though it would be to a certain extent beneficial, would yet be a very insufficient remedy, and that the *possession*, as well as the sale, of poisons requires to be regulated.

8. He is, therefore, of opinion that, in addition to the proposed restrictions on the *sale* of poisonous substances, the *possession* of the substances should render the possessor liable to examination and enquiry; and, in the event of the possessor being unable to give a satisfactory account of it, he should be liable to fine; and if he be at the same time proved to be a bad character, in the sense contemplated in Section 295 of the Code of Criminal Procedure, to a suitable term of rigorous imprisonment.

9. To render such a law efficacious, the Inspector-General of Police and Major McAndrew, late Extra Assistant General Superintendent, Thuggee Department, are of opinion that the Police should, in such cases, be allowed to arrest without warrant.

10. Grave objections can doubtless be urged against these proposals, on the ground that much power for evil will thereby be placed in the hands of the Police, and great opportunity will thereby be given to malicious persons to gratify personal hatred by placing poisonous substances in the house of an enemy and informing the Police.

11. But these objections, His Honor considers, will be sufficiently met by making the offence of being in possession of poisonous substances, without being able to give a satisfactory account thereof, an offence triable by the Court of Sessions only, and enacting stringent provisions for the punishment of policemen or individuals who cause the unnecessary arrest of innocent persons.

12. I am to add that His Honor thinks it will be necessary to exclude from the list of poisonous substances, the sale or possession whereof is placed under restriction, all articles commonly used for purposes other than poisoning, such as opium, gânja, soorma, and red oxide, or carbonate of lead.

No. 1636, dated the 21st December, 1866.

Endorsed by the Home Department.

Copy forwarded to the Legislative Branch for consideration.

From Colonel Charles Hervey, C.B., General Superintendent of Operations for the Suppression of Thuggee and Dacoitee, to E. C. Bayley, Esq., Secretary to the Government of India, Home Department,—No. 624, dated Simla, 1st August 1868.

In continuation of the series of statistical papers (Dacoitee Statements) forwarded under my letter under date 30th April, No. 344, I have now the honor to submit statements* for the crime of thuggee, whether by poison or by strangulation, for the same three years, 1864, 1865, and 1866, of occurrence in districts under British administration.

* Not printed in this Selection.

2. Owing to the absence of detailed reports in such cases and to a

general hesitation on the part of District Officers, or for want of definite instructions in determining in what manner to mark them off in their returns, I have not been enabled to give that statistical fulness to these statements which perhaps characterised the dacoitee papers. For it will be observed in the body of the remarks against the several districts in which the crime occurred, that while some officers properly recognised *as cases of thuggee* those instances of crime which manifested indications of their being the deed of adepts, although strangulation should not have been resorted to, there were others who did not do so except death had ensued.—some who returned some murders as thuggee without reference to the means which were resorted to,—others who passed by poisoning cases altogether whether death ensued or not, even although they evidenced symptoms of being class crime,—others who noticed some cases of the crime and passed by others,—some who drew some kind of distinction between the different degrees of poisoning, and endeavoured to draw a line of demarcation between cases of "murder by poison" (some calling this *thuggee*, some not), "attempts to murder by poison," "robbery by poison," "poisoning for the sake of robbery," "grievous hurt by poison," "poisoning with hurt," and so on,—others who massed offences of various kinds under lump figures and merely quoted against them the sections of the Indian Penal Code under which they severally were tried, among which were sections under which the criminal use of poisons as a means for committing an offence might or might not be recognised—thus leaving to conjecture any decision on the subject on the part of the statist,—while some again left unnoticed even cases of death by strangling. Instances of this incongruence are furnished in the statements in the column of remarks.

3. I might thus have avoided, without blame, the preparation of any returns at all. But, as Government is aware, I have long been impressed with the seriousness of this crime of poisoning, of which I have so frequently submitted that the danger of its gaining head was in proportion with the difficulty of its detection, and I therefore considered that it altogether belonged to me to place to view the extent of its *reported* existence in the different Governments and Administrations comprising the Government of India,—that is to say, inasmuch as I was enabled to do so by the data at my disposal. For, under the different views formed of the crime, I was not able to depend upon receiving any very steady reports of the occurrence of it; and experience, too, had taught me that, in the majority of instances, perhaps no report of it would be made at all, *even to District Officers themselves* (as evidenced under Bengal), except death should have been the unhappy result,—and that even then death would often be attributed to anything but poisoning! In order, therefore, to prepare any returns at all, I had to search through the several Police Administration Reports, and these papers are the result of the examination.

4. I have to regret that the information at my disposal should not have enabled me to draw up any statistics of the crime such as I was able to submit with the Dacoitee Statements. The reason for this is explained in the column of remarks. And I would observe that although *every* case of poisoning or of strangling has been embodied in these papers, I would by no means affirm that all were cases of *thuggee;* for it has on

the contrary been shown which of them might (with information obtained respecting them) be classed as cases committed by the professional criminal and which not, whenever I have been able to arrive at such a discrimination.

5. But while every case of poisoning or of strangling which was to be noticed in the reports from which all were gathered has been entered in these statements, those cases which were palpably *not* the deed of class criminals have been excluded from the reckoning, and have not been confounded with cases which either were or might reasonably be supposed to have been perpetrated by persons who committed the crime for the sake of robbery. For this was no light question; and I trust that the preparation of these statements, such as they are, will be approved of by Government.

6. The measure has, however, been one of experiment only. For I have supposed that Government, perceiving that it fell short of conveying the complete information which ought to be available, would issue some orders according to which *future* statements should be fuller of details; and this might perhaps be ensured by District Officers being required to keep a register of *every* act of poisoning or of strangulation, *whatever the attendant circumstances*, briefly narrating those circumstances, and noticing the Police action in each case and its results. If it were further directed that the documents so prepared should be forwarded every six months to this office, for the information of the Government of India, an analysed statement might be prepared from them, which the heinousness of the crime altogether requires should be periodically placed before Government; and in furtherance of this object I would also propose that Inspectors-General of Police be required to add to their Crime Tables the columns noted in the margin, showing the number of each case of the classifications denoted therein.

POISONING.						
WITH MURDER.				THROUGH REVENGE OR MOTIVES OTHER THAN OF ROBBERY.		
For the sake of robbery.	Otherwise.	With robbery.	For the sake of, but without, robbery.	With intent to murder.	Without intent to murder.	Total.
1	2	3	4	5	6	7

N. B.—The above does not contemplate any separate column for "attempt to commit murder,"—for the cases in which death did not ensue would be entered either in columns 3 and 4, or in column 5, according to the circumstances attending them.

7. In stating that the occurrence of the crime was not always reported, I have instanced the cases in Bengal. Many acts of poisoning took place in that Province, of which the Police knew nothing, although some of them had

resulted in the death of the victims. It was discovered early in 1865 that the crime was becoming serious in certain parts of Bengal, and at the recommendation of the Inspector-General of Police, the late Colonel Bruce, an officer was specially employed to investigate them, *and was placed in communication with myself*. Perceiving in Mr. Reily, the gentleman appointed, a valuable coadjutor, I invited him to communicate with me without reserve, and tendered to him my advice and counsel as freely; and although the course pursued by me in considering him in a measure under my personal directions and making use of him accordingly, did not, for a special reason, meet with approval from the Lieutenant-Governor of Bengal, the result of our connection was nevertheless most gratifying. A great deal *more* of the existence of the crime in Bengal was discovered than I had anticipated. Cases, *several attended with murder*, were brought to light in 1865, of occurrences in 1864 and preceding years, *of which sometimes not even a record existed!* Mr. Reily prosecuted them in person with great tact and intelligence, and even gained from the Judges of the High Court a high encomium for detective ability. A great many of the criminals were arrested and convicted, and several of them were executed, or transported for life or for shorter periods. This showed the utility of extraneous pressure, however little my own part in it might have been. The subject has been noticed in the column of remarks for Bengal in the statement for 1865, and Mr. Reily's proceedings and success are recounted in two appendices to the statements for 1865 and 1866, both replete with painful interest. He was, I am happy to add, soon subsequently advanced to the grade of a Deputy Inspector-General of Police.

8. In my report in the Foreign Department, No. 794, dated 15th September 1863 (para. 20), I submitted to notice some cases of poisoning by return emigrants from the Mauritius, and that it was believed that the crime was practised in that island by fugitives from India. It was not at the time considered necessary to act upon my suggestion to ascertain from the Mauritius Government whether this was really so. The recurrence, however, of similar cases in this country, the deed of returned emigrants, will be observed in the present papers.* According to the information of this Department, men from Oudh and the North-Western Provinces have from time to time gone as coolies to the Mauritius and other oceanic colonies, who committed both dacoitee and poisoning; and it is stated by some of our *Passee* approvers of the poisoning class, that an emigration agent from Calcutta engaged at random a few years ago at Lucknow a great number of persons for shipment as coolies beyond the sea, among whom were several dacoits and dhatoora thug poisoners. We know that in India men who practised dacoitee have, for want of opportunities to commit it, turned their hands to the more secret and less easily detected crime of poisoning, of which probably some instances may be discernible in the present statements, under Oudh. *If the opportunity offers, they will revert to dacoitee*, and some facilities for doing so may have been presented in the colonies, should the report be correct that both crimes have appeared in the Mauritius. The indiscriminate deportation of such or other criminals might, however, be in some degree

* *Vide* especially cases 3 and 5 under Benares in the statement for 1864, and a case under Behar in that for 1866.

checked, were a system observed of instituting an enquiry, through our local Magistrates, into the character of the persons who offered themselves as coolies to emigration agents.

9. It will be further perceived that these statements also present some cases of the crime of poisoning in which the accused escaped conviction, although the poison reasonably believed to have been employed by him for criminal purposes was found in his possession. Of this a remarkable instance will be found in the statement for 1866, under the District of Etah, in the North-Western Provinces. The prisoner in that case declared he used the substance (which was *dhatoora*) *as medicine for sick cattle.* Others have similarly asserted that *they were themselves in the habit of taking that drug.* The device is a very common one. When those "mysterious cases," as they were called, occurred in Oonao, in Oudh, in 1860 and 1861, in which corpses were found on the high road, with knotted strings fastened round the neck,—of which, I may here observe, there would seem to be a reappearance in the same neighbourhood as well as elsewhere,—under an impression that *poisoners* were probably the culprits, who first had drugged their victims and then had tied on the cords as above *in order to baffle detection*, or, in other words, to induce a belief that thug stranglers had been at work in an unprofessional way, *and not expert thug poisoners*,—I suggested to Magistrates to require the Police to look out for men in the garb of religious mendicants, who should put up at *serais* or other resting-places, and to search their persons in view to the discovery of poison or other noxious substance, upon some at least of them. Upon this a *byragee*, as he pretended to be, was arrested on his return to Cawnpore, who had, after a very short stay at the *serai* at that place, been perceived to go over into Oudh across the adjacent Ganges, leaving behind him, however, a bundle composed, seemingly, of tattered clothes only, too miserable-looking, he thought, to excite any suspicion. Called upon to account for some seeds of the *dhatoora* found tied up in a corner of one of the old garments, he unhesitatingly declared *that he used the drug as medicine*, and at once raised his hand as if to eat some of it on the spot. In this he was prevented by the sitting Magistrate, by whom he was thereupon sent over to my Assistant, Major Chamberlain, at that time located at Lucknow, where, on his making the same proposal, he was, in view to put him to the test, even permitted to do what he had offered. Nothing daunted, *he forthwith swallowed some of the seeds*, to the dismay of the above officer. Insensibility had already partially set in before the usual antidotes could be applied. On his being restored to consciousness, however, the further to disconcert beholders, he at once remonstrated at the measures taken for reviving him, declaring, as the Hasheesh-eater we may suppose would do, that "he was just getting into the glory of the thing!" Transferred eventually to myself, he disclosed to me a long list of acts of poisoning and of dacoitee, both on land and river, in which he had taken part, and revealed too, among other like barbarities, that he was one of the infuriated band by whom Mr. St. George Tucker, of the Bengal Civil Service, was beset and finally murdered in his bungalow at Futtehpore on the outbreak of the mutiny in 1857, and that he had even received a bullet in his leg from the seldom-erring rifle of that brave man. I here only revert to this anecdote in connection with the

subject of the expediency of a law making it *penal* to be found to possess, without a license, the deleterious things commonly used by poisoners, such as I had ventured to propose for enactment in my letter to your address, No. 930, under date 13th September 1865. I believe an objection to such a law was urged in the fact that *dhatoora*, for instance, was often used by natives for medical purposes. If justice should be defeated by these detestable criminals making use of the same argument in support of their innocence, it were weakness for us to urge it too, if through it they should be saved from punishment! It is the well-known character of the thug to make that null which would be evidence in our courts of law, and for him to advance that in his defence, which he knows we are ourselves so tenacious about. For him to declare that he kept poison by him *to use it as medicine,* because we say that it *is* used by natives for such a purpose *and may therefore be possessed by them,* is altogether to sustain that character and to overreach us. As submitted, however, in my letter under advertence, the inconvenience of a prohibitory law of the scope advocated by me, to those who really used drugs for curative purposes, would affect a very few, in comparison with the very many whom the restriction would protect. Those who required such things for honest aims would suffer little from the mere trouble of having to seek permission to possess them, while the effect upon those who wanted them for criminal ends would at least be that they would in some measure be deterred from too readily using them, lest they should be discovered *unlawfully* to have them.

10. That the old crime of thuggee by strangulation has been superseded by that of *poisoning*, is, I believe, now generally admitted, or it would be admitted from the information presented by these statements alone, if former reports had not sufficiently established the fact; and it is only in continuation of my very earnest efforts for the suppression of the dreadful evil that I have ventured to come up to Government with these proposals,—an evil accomplished by secret means at once diabolical and cowardly, and which if it should not be attended with the destruction of life in every case, the destruction thereof is so far contemplated that the purpose being effected,—namely, the robbery of the victim,—it is of no concern to the criminal whether the man dies or not,—his recovery being, on the other hand, often attended with the sacrifice of his intellect or of his bodily health; and under these conditions I humbly commend these statements to the consideration of Government.

From A. P. HOWELL, Esq., Officiating Secretary to the Government of India, Home Department, to the Chief Secretary to the Government of Bombay,—No. 640, dated Simla, the 16th October 1868.

I am directed to request that, under the orders of His Excellency the Governor in Council, the Government of India may be furnished with information showing how the Bombay Act VIII of 1866 (to regulate the sale of poisons) has worked, whether it has produced any tangible results, and whether it has been found possible to enforce its provisions without oppression.

2. The question of legislating for preventing the possession and sale of poisons in the Bengal Presidency is under the consideration of the Governor General in Council, and it is consequently desirable to have the benefit of the experience gained in Bombay.

From F. S. CHAPMAN, Esq., Chief Secretary to the Government of Bombay, to the Secretary to the Government of India, Home Department,—No. 713, dated the 19th February 1869.

I am directed to acknowledge the receipt of your letter No. 640, dated 16th October last, in which you request to be furnished with information as to the working of Bombay Act VIII of 1866, "An Act to regulate and restrict the sale of poisons in this Presidency." In reply, I am directed to forward to you the accompanying copies of replies received from the officers noted in the margin, who were called on by this Government to submit reports on the matter, from which it appears that, while the Act has been worked without oppression, it has not as yet produced any very tangible results.

Letter from the Commissioner of Police, Bombay, No. 1781, dated 3rd November 1868.

Letter from the Acting Revenue and Police Commissioner, S. D., No. 181, dated 16th January 1869, with accompaniment.

Letter from the Officiating Revenue and Police Commissioner, N. D., No. 155, dated 3rd February 1869, with accompaniment.

Letter from the Commissioner in Scind, No. 228, dated 3rd February 1869.

From F. H. SOUTER, Esq., Commissioner of Police, to the Acting Secretary to the Government, Revenue Department, Bombay,—No. 1781, dated the 3rd November 1868.

With reference to Government Resolution, Revenue Department, No. 4010, dated 28th October 1868, calling for reports as to whether Act VIII of 1866 (to regulate the sale of poisons) has produced any tangible results, and whether it has been found possible to enforce its provision without oppression, I have the honor to report that the introduction of this Act has not produced any tangible result in Bombay, but no complaints as to the enforcement of its provisions have been made.

2. As, however, large quantities of these poisons are known to be constantly stored in, or passing through, Bombay, it is probable that the provisions of the Act are frequently evaded, although no such evasion has yet been brought to light.

From W. H. HAVELOCK, Esq., Acting Revenue and Police Commissioner, Southern Division, to the Chief Secretary to the Government of Bombay,—No. 181, dated Camp Yellapore, the 16th January 1869.

I have the honor to reply to the Government Resolution No. 4010, dated 28th October 1868, on the subject of the working of Bombay Act VIII of 1866, being an Act to regulate the sale of poisons.

2. From the reports of the several Collectors and Magistrates, of

which a summary is appended, it will be seen that the Act has been worked without oppression; but that it has not produced any tangible results, owing principally to the facilities with which poisons may be obtained from interlying villages belonging to Native States, and to the ready manner in which vegetable poisons are procurable generally throughout the country.

3. Some of the Collectors and Magistrates have pointed out certain omissions in the Act; of these, I would commend to the attention of Government those pointed out by Messrs. Boswell, Erskine, and D'Oyly, in view to their being supplied, should a revision of the Act be in contemplation. No doubt the Collector should be empowered to exercise a discretion as to character of the applicant in granting licenses, and to call for and examine the books whenever required.

Summary of the Reports of the Collectors and Magistrates, Southern Division, on the subject of the working of Bombay Act VIII of 1866.

Mr. Bosanquet, Collector and Magistrate of Sattara.

Does not think that the Act facilitates the sale of poisons for criminal purposes, but has rather had the contrary effect. The number of licensed vendors has perceptibly decreased, being at present 8 against 14, the number in 1863-64. He thinks it not improbable, however, that this favourable result is partly attributable to the facilities with which poison can be introduced from the Native States which surround and intermingle with the villages of the district; observes that poisoning human beings does not seem a common crime in this part of the country, at the same time in a country so prolific as this is in vegetable poisons, which are procurable in almost every field and leave no trace in the stomach, nothing short of an extermination of such plants will effect a reformation. The only change he would propose is that Collectors should be invested with a discretionary power, which they do not seem to possess under the present Act, of refusing to grant or renew ordinary licenses. In large towns, where there are dispensaries, he suggests that it might be advisable to delegate the sale of poisons to the hospital assistant, who is generally a man of character, education, and ability. He adds that no oppression has had to be used for the working of the Act.

Mr. E. P. Robertson, Collector and Magistrate of Dharwar.

Though the present law does not facilitate the obtaining of poisons for criminal purposes, yet he thinks it might be improved. He is of opinion that the number of licensed vendors should be, as far as practicable, reduced, and licenses given only to men of character. He suggests that the licenses be given only to the Patells of large towns, who should sell only to people who bring a permit from the Patell of their own village to purchase. The permit should name the purchaser, the substance to be supplied and the quantity, and the reason why it is required. He adds that, if any person were desirous of poisoning another, he would, in all probability, use some of the vegetable poisons which abound in every hedgerow in the country, in preference to purchasing a mineral poison from the vendors; and thus the law does not appear to have produced any tangible results. As far as he is able to state, it has been found always practicable to enforce the law without any oppression.

The number of licenses taken out for the sale of poisons, under Act VIII of 1866, has been very small. In 1867, five licenses were taken out, one of which was special. In 1868 four licenses only, all ordinary, were granted. The sale of poisons in this district has been so small that he is not in a position to state whether any tangible results have been produced, and he is not aware that any oppression has been caused by the enforcement of the provisions of the Act.

Mr. Armstrong, Collector and Magistrate of Kulladghee.

The Act has been too short a time in operation to allow any tangible results to appear, or to enable him to judge from practical experience how far it facilitates, or not, the obtaining of poisons for criminal purposes. If, however, it does not facilitate the obtaining of poisons, it certainly does not do much towards preventing it, were persons disposed to obtain poisons for such purposes. The Act does not provide any legal limit to the number of licenses, and so in course of time it is to be expected they will be very common. The amount of fee also for a license is too trifling to act as a check on their number, except in the case of a special license, and what a special license is for, or where, or when, it is to be granted, is nowhere defined in the Act. Were the number of licensed vendors restricted, no hardship would be caused to the people, and the Police would undoubtedly be better able in suspicious cases to trace the purchasers, provided the poison was obtained from a licensed vendor, which, however, it is probable would rarely be done in a country where so many vegetable poisons grow wild and are readily procurable. He would grant licenses to respectable persons only. He adds that the list of poisons in Schedule A appended to the Act is not very comprehensive, and excludes some that were included under Section 20 of Regulation XIV of 1827. The Schedule might, he thinks, be extended with benefit.

Mr. Boswell, Collector and Magistrate of Rutnagherry.

The Act has been worked without any oppression, but it has not produced any tangible results, as the facilities with which poisons are obtained in the numerous villages of Native States, which lie between and border on British territory, render the Act almost a dead letter. Cases of poisoning have not diminished since the introduction of the Act, but no cases of the illegal sale of poison have been tried since the Act was passed.

Mr. Grey, Collector and Magistrate of Belgaum.

The provisions of the Act have not been very strictly enforced, the number of licenses applied for has been very small, and he does not believe that any real difficulty will be found in purchasing poisons of certain kinds in districts in which no license has been granted. Mr. Erskine observes that it is almost impossible, as the law now stands, to know whether it is fully acted up to. Section 13 of the Act requires a great deal, but who is to see that this is done? No authority is given to the Collector or to the Police (or any one else) to examine the books of the seller, to see that they are properly kept, and his belief is that the provisions of the law are not attended to except, perhaps, to a certain extent in the City of Poona. Mr. Erskine thinks that the law, as it stands, can scarcely be expected to work very well. There are too many restrictions, and not sufficient means of knowing that the restrictions are

Mr. Erskine, Collector and Magistrate of Poona.

attended to. As he understands Section 5 of the Act, an ordinary license must be granted to any one willing to pay rupees 5 for it, discretionary power only being given as regards the special license. Thus bad characters may easily procure licenses, and what check, in a country where so few can read and write, would the book of sale be on them? They would make all the entries themselves, and might enter anything they liked. He thinks that licenses should only be granted to persons of good character; that the restrictions on sales should be lessened, though the seller should still be bound to enter all sales in a book, and that power to examine this book should rest with certain officers who could then examine it regularly, and this might really check the seller, and with his aid probably enable them to do much to put a stop to illicit sales.

Mr. Elphinston, Collector and Magistrate of Canara.

There is little or no sale for poisons in this Collectorate; only about three or four men have taken out ordinary licenses under the Act, and in most instances they have not sold sufficient poisons to pay for the cost of the license. The Canara jungles abound with vegetable poisons, and the object with which licenses are taken out is generally merely to vend paints, such as yellow or piment for colouring images. Mr. Elphinston recommends, as the Act does not require any special machinery to work it, that the licenses be granted free on condition that the vendor be a respectable man, who can read and write, and well able to keep the accounts in the prescribed form.

Mr. D'Oyly, Collector and Magistrate of Ahmednuggur.

The Act has hitherto produced no tangible results owing to the omissions in it noted below; he doubts whether the provisions of the Act have been fully enforced, but this is still under enquiry. No oppression has been committed under the Act. The omissions in the Act, which Mr. D'Oyly thinks should be supplied, are the following:—

1st.—That it should be made optional with the Collector to grant or renew a license to any applicant.

2nd.—That the Collector should have power to cancel any license granted on his becoming convinced that such a step is desirable.

3rd.—That authority should be given to the Collector to examine or authorise in writing any other person to examine the books kept by vendors.

From A. F. Bellasis, Esq., Officiating Commissioner of Police, Northern Division, to the Secretary to the Government of Bombay,—No. 155, dated Camp, Veejulpoor, the 3rd February 1869.

I have the honor to acknowledge the receipt of the Government Resolution No. 4010, dated 28th October last, calling for information showing how the Bombay Act VIII of 1866 (to regulate the sale of poisons) has worked, whether it has produced any tangible results, and whether it has been found possible to enforce its provisions without oppression.

2. As the information is required by the Government of India to aid them in legislating for preventing the possession and sale of posions in

the Bengal Presidency, I have given in the accompanying summary the opinions of the several Magistrates and District Superintendents of Police in the Northern Division.

3. From these it will be observed that the working of the Act has never been found to be oppressive, and most of the Magistrates and Superintendents of Police are agreed that the Act is precautionary, and that it conduces to exercise a wholesome check. This is the more observable in districts little intermingled with Foreign States, but in Guzerat, where Guickwaree towns and villages are thickly interspersed with British territory, the check can be very slight.

4. I concur with the Magistrates of Surat and Broach, and with the Superintendent of Police, Khandeish, in opinion that the Act might with advantage be made still more restrictive, and I think their suggestions are worthy of adoption in framing any new Act.

Memorandum containing the replies of the Officers of the Northern Division to the Government Resolution No. 4010, dated 28th October 1868, forwarding a copy of a letter from the Government of India requiring information as to how the Bombay Act VIII of 1866 (to regulate the sale of poison) has worked, whether it has produced any tangible results, and whether it has been found possible to enforce its provisions without oppression.

Mr. Borradaile, Acting Magistrate.

Ahmedabad.—"The Act has produced no result in this zillah, and the enforcement of its provisions is by no means oppressive.

"In such a district as Ahmedabad, intermingled with foreign territory, it is and will continue to be a simple matter to obtain poison; no legislation can prevent this; and naturally a man wishing to poison his neighbour, or a wife, or husband, will not expose himself to the elaborate system of entry in the retailers' books devised for his detection.

"It would be advisable, perhaps, to make penal the possession of any poison named in Schedule A not purchased from a licensed vendor."

Captain Segrave, Superintendent of Police.

"From the records of this office there is nothing to show that the Act in question has produced any tangible result, or that, since the promulgation of the Act, crimes under the head of poisoning have either increased or decreased,—only one case being reported in each of the years 1866-1867. Though the Act in question prevents the promiscuous sale of poisons in British territory, still it does not hinder a person in a district like the Ahmedabad Zillah, which is almost surrounded by Native States, from procuring poison. Should he wish to do so, he has only to go across the frontier and he can obtain as much as he likes. With a view to prevent persons purchasing poisons in Native States, and bringing the same into British territory, I would suggest the necessity of another clause being added to the Act, *viz.*,—

"'No person, without a special order from the Magistrate of the district, shall be allowed to bring into British territory any of the poisons mentioned in the Schedule of this Act.

"'Any person found with poison in his possession shall be bound under certain penalties to satisfactorily account for the same, and that he has purchased it from a licensed vendor.'

"I don't think there is anything in the provisions of this Act which is in any way oppressive."

Kaira.—"The provisions of the Act have been applied in these districts without trouble or even remark by the people; but I have no kind of data from which to pronounce an opinion as to the real effect of the Act to compass the objects for which it was intended. I must hazard a remark, however, that I am not able to perceive how enactments of this sort can have the restrictive effect they are intended for. I know nothing which could practically prevent large quantities of arsenic, or any other poison, being sold anywhere in India."

Mr. Elliot, Magistrate.

"From a Police point of view, and as regards this district, the Act in question is virtually inoperative.

Lieutenant Daniell, Superintendent of Police.

"Dhatoora is plentiful all over the district, and the poison can be extracted and used by the most ignorant. Other vegetable poisons are also available, but the preparation of these require a certain amount of knowledge.

"If, however, a person wishes to purchase poison with any ill intent, he can procure it in any quantity from one of the numerous Guicowaree towns or large villages with which this district is so plentifully besprinkled.

"Where persons wish to purchase poison in small quantities for medical purposes, they obtain it from the licensed poison-vendor; and, from the enquiries I have made, I believe that the provisions of the Act are enforced without oppression in the case where people can obtain poison, if they please, without purchasing it from licensed vendors."

Punch Mehals.—Act VIII of 1866 has not been formally "introduced into the Punch Mehals, but, under its spirit, licenses for sale of poisonous substances have been issued since 1867, and accounts kept agreeably to Section 13.

Mr. Propert, Agent for the Governor.

"From the reports of the local Native Officers, I find that no difficulty has been experienced in carrying out the provisions of the Act, nor any complaint against them received from the people, but, on the contrary, they facilitate the detection of suspicious cases and exercise a wholesome check on the purchase of poison for unlawful purposes. I am myself of the same opinion, and consider that no alterations in the present Act are necessary."

Licenses have only been taken out by eight men in these districts, as follows:—

Lieutenant Wilson, Superintendent of Police.

Godra	3
Kalole	1
Veejulpore	1
Halole	1
Dahud	1
Ghalode	1
TOTAL	8

"The provisions of the Act do not appear to have been strictly carried out in every instance, but there has been no difficulty or oppression in enforcing its provisions where it has been acted up to."

Surat.—"The present law (Bombay Act VIII of 1866) works tolerably well on the whole at the places where there are licenses to be found. These, however, are so very few in number—there is not a single one in the Sub-Collectorate—that there cannot be the least doubt that the sale of poisons is for the most part practically unrestricted. I consider that there should be a license in every kusba town and subordinate town of 3,000 inhabitants.

Mr. Hope, Magistrate.

"My Assistants and Deputies, to whom I referred your circular for opinion, suggest the following additions to the Act, in which I concur:—

"'(I) The Police should be empowered to search without warrant the house of any person suspected to have in his possession poisons surreptitiously obtained.

"'(II) It should be provided in the Act that persons found in possession of poisons who are unable to prove that they have got them from licensed vendors should be liable to punishment. To render this possible, it might be likewise enacted that vendors shall give a pass or token to purchasers of poisons.

"'(III) Sindoor, or red lead, should be added to Schedule A of the Act. It is commonly used by the natives as a poison.

"'(IV) Licensed vendors should be required to submit their books for periodical inspection to the Collector, or Assistant or Deputy Collector. This will insure strictness and punctuality.

"'(V) Importation of poisons from Native States should be checked by requiring the importers to declare the quantity they wish to import, and the purpose for which it is intended. This Collectorate is greatly interlaced with foreign territory, and some such provision is requisite.

"'(VI) Surgeons or Sub-Assistant Surgeons, wherever available, should superintend the sale of poisons.'"

"I cannot find its provisions have been so enforced as to cause any oppression; but to make the Act of greater use, I consider the Collector might authorise the Superintendent of Police to issue the licenses, and then the books of sales of poisons would be periodically inspected; but in India vegetable poisons are so easily procurable that legislation is not, in my opinion, ever to be of much avail in preventing murder by poison, while the provisions of the Act may be of service in preventing accidental poisoning."

Major Shortt, Superintendent of Police.

Tanna.—"The statistical information of this Department in respect to crime does not show that the existing law (Act VIII of 1866) regulating the retail sale of poisonous substances in any way facilitates the obtaining of poisons for criminal purposes. As far as can be judged of the Act, it evidently meets all the requirements which necessitated its becoming law.

Mr. J. W. Robertson, Magistrate.

"The facility that exists for obtaining mineral as well as vegetable poisons of one kind or another scattered throughout the country, equally efficacious and subtle in their administration to those enumerated in the

Schedule of the Act, precludes the necessity of the poisoner resorting to the retail dealer to supply himself with the means with which to carry out his secret designs. However stringent the provisions of the law may be, it necessarily must fail in being able to deprive the poisoner of the means of obtaining poisons, as both the vegetable and mineral kingdoms abound with them in most of the country.

"Little inconvenience, I apprehend, would result to the community by a reduction of the licenses granted. Every means is adopted to grant the licenses to respectable persons only under the present system. What more can be desired I am at a loss to understand, as only certain classes of the population will undertake its sale; other classes of traders would refuse to do so. Section 13 of the Act compels the keeping of accounts of sale, together with particulars of to whom sold, &c.; the Police have, therefore, every scope afforded them under the existing law to trace all purchasers of poison."

Major Coles, Superintendent of Police.

The provisions of the Act have been enforced, as far as he can learn, without difficulty or opposition.

The cases of poisoning in the district have been so few,—only two, one of which was supposed suicide,—that the Superintendent cannot form any judgment as to the results of the Act in question; but he is of opinion that there can be no question as to the benefit of the same.

Mr. Sheppard, Acting Magistrate.

* Follow below.

Khandeish.—"Concurs in Captain Probyn's views.* Poisoning is far less common than formerly, and when the crime does occur, it is commonly found that the substance employed has been dhatoora, which is procurable in every jungle, or broken or ground glass. As a preventive measure, therefore, the Act in question has probably not produced any very tangible results. At the same time its provisions are undoubtedly calculated to be precautionary, and therefore useful, and the undersigned has never heard of any complaint on the subject, and has no reason to believe that they are considered oppressive."

Captain Probyn, Superintendent of Police.

"The Act does not appear to have had any effect with regard to the crime of poisoning in the zillah. The crime returns show that in 1866 there were five cases of poisoning. Last year there were only three, while this year, up to the present time, I do not think we have had any case at all. I do not, however, attribute this slight reduction of the offence solely to the introduction of the Act referred to, but rather to other causes, such as influence and† the fluctuation of the crime of murder from one year and another.

† S. O.

"No complaints of hardship consequent on the introduction of the Act have reached my ears during my tour in the districts; neither can there be any inconvenience, provided a sufficient number of licenses to sell poison are granted, and judiciously distributed through the province.

"The form given in Schedule C does not appear to me sufficient to secure the object in view, which I understand is to place a more complete check on the indiscriminate sale of poisonous substances. The form referred to gives every information excepting with regard to the total quantity of poison on hand, so that there is no means to detect vendors

who may sell poison and make no entries at all. During an enquiry I made in 1866, I found that some of the vendors, if their accounts were correct, had not sold poison even to the amount they had paid for their licenses.

"Had the law obliged them to register the quantity of poison on hand when their licenses were issued, an examination of the poison on hand at the end of the year, or any intermediate time, would show whether the intermediate entries of sale of poisons were correct or otherwise."

From Colonel Sir W. L. Merewether, K.C.S.I. and C.B., Commissioner in Sindh, to His Excellency the Right Honorable Sir W. R. Seymour V. FitzGerald, G.C.S.I., Governor and President in Council, Bombay,—No. 228, dated Sukkur, the 3rd February 1869.

Referring to Government Resolution No. 4010, dated the 28th October 1868, I have the honor to report, for the information of Your Excellency in Council, that Bombay Act VIII of 1866 has affected the revenue from the sale of poisons, and that it may therefore be considered to have worked successfully as a restrictive measure. The Collector of Hyderabad reports that the revenue on the above account in his Collectorate from August 1866 to July 1867 amounted to Rs. 2,989, whilst from September 1867 to December 1868 Rs. 125 only was realised. The decrease is attributed by the Collectors of Hyderabad and Shikarpore to the exclusion from the Schedule attached to the Act of the poisons chiefly in demand, *viz.*,—

Antimony.
Red lead.
Sugar-of-lead.

2. The provisions of the Act appear to have been enforced without difficulty.

From E. C. Bayley, Esq., Secretary to the Government of India, Home Department, to the Honorable A. Eden, Secretary to the Government of Bengal in the Judicial Department,—No. 652, dated Simla, the 19th May 1869.

From Bengal, No. 2464, dated 1[illegible]th April 1866.
* * * *

* From Government of Bombay, No. 713, dated 19th February 1869, and enclosures.

With reference to the correspondence noted on the margin, regarding the proposal to regulate by law the possession and sale of poisons, I am directed to forward, for the information of His Honor the Lieutenant-Governor, the accompanying copy of a report* on the working of the Bombay Act VIII of 1866 (to regulate and restrict the sale of poisons), and to state that, in the opinion of the Governor General in Council, there are very great difficulties in the way of legislating in this matter to any useful purpose.

Office Memo. from C. U. AITCHISON, Esq., Secretary to the Government of India, Foreign Department, to the Secretary to the Government of India, Home Department,—No. 13J., dated Fort William, 24th January 1872.

The undersigned is directed to forward to the Home Department a copy of the letters marginally noted from the General Superintendent of the Operations for the Suppression of Thuggee and Dacoitee, relative to the proposals made by him for the suppression of the crime of thuggee by poisoning, and to convey the following observations of the Viceroy and Governor General in Council on the subject.

No. 61A., dated 11th February 1871.
No. 745, dated 24th October 1871.

2. In Colonel Hervey's report on the operations of the Department under his care from 1863 up to the end of 1868 (a copy of which was forwarded to the Home Department with the docket from this office No. 176J., dated 18th November 1870), it was stated that although thug poisoning was lamentably prevalent, not only in British territories but in Native States, yet not a single arrest had been effected. This was pointed out to Colonel Hervey in the letter from this Department reviewing the report, with an expression of the regret of Government at the absence of any conviction of this class of criminals.

3. In his present letter under reference, Colonel Hervey submits that this failure has arisen from the action of Government in declining to sanction his proposals and those of the North-Western Provinces authorities for dealing with the crime.

4. His main proposal was that the approver system—to the adoption of which the success of his Department in dealing with thuggee was due—should be applied to thug poisoning, *i. e.*, that instead of admitting one or more of the accused in a particular instance to be Queen's evidence and discharging him when that particular trial is finished, the man should first be *sentenced* and then admitted to be Queen's evidence, the sentence being kept hanging over him (for life in the case of a thug) and he being kept under custody the whole time.

5. The Government of India in this Department objected to the measure, on the ground that, by Colonel Hervey's own showing, the crime was practised not by organised bands, but by isolated malefactors, to whom the approver system was manifestly inapplicable.

6. This objection does not seem ever to have been met by Colonel Hervey, but it was by the North-Western Provinces Government, in a letter to this Department, dated 11th June 1862, No. 475A. (which was transferred to the Home Department with the office memorandum from this Department No. 36, dated 4th February 1863), in which His Honor the Lieutenant-Governor expressed his conviction that thuggee poisoners were just as much organised bands of professionals as those thugs who committed murder by strangulation, the only difference being that the weapon of destruction used by the former did not always kill, while those of the latter in nearly every case did so.

7. Government in the Home Department on the 6th March 1863 showed the Lieutenant-Governor that no further action on the part of the Legislature was needed to legalise the application to the crime of the approver system, which in its application to thuggee and dacoitee was based on executive authority still possessed by His Honor and heads

of other Administrations, and was sufficiently warranted by Section 54 of the Criminal Procedure Code.

8. From the enclosure to the present letter from Colonel Hervey it would appear that in 1865 he tried to get the system applied in an enquiry into thug poisoning, but the Magistrate of Monghyr decided that the system of conditional pardon was illegal, something quite different being contemplated in Section 204 of the Criminal Procedure Code. It would have been better, His Excellency in Council thinks, had Colonel Hervey, instead of allowing the matter to drop, either referred it himself for the consideration of Government, or requested the Magistrate of Monghyr to refer the point for authoritative decision, more especially when it is remembered that he was aware of the views of the Government of India as to the legality of the approver system under the provisions of Section 54 of the same Code.

9. It appears to the Viceroy and Governor General in Council that these two sections of the Criminal Procedure Code referred to, *viz.*, 54 and 209, are concurrent, and that the fact of a man having received a pardon from Government under Section 54 conditionally on his telling the truth in all cases in which he is called as a witness, does not legally disqualify him for giving evidence in such cases; but, on the other hand, if the Magistrate chooses to offer such a man a free pardon, he can do so under Section 209. If this be so, a defect is brought to light in the wording of the Act, and the undersigned is accordingly desired by His Excellency in Council to request that, as the Criminal Procedure Code is now in the course of re-enactment, such action as may appear expedient in the Legislative Department may be taken with the view of remedying that defect.

No. 14J.

Copy forwarded to the General Superintendent of Operations for the Suppression of Thuggee and Dacoitee, with reference to his letter No. 61A., dated 11th February 1871.

From Colonel C. Hervey, General Superintendent of Operations for the Suppression of Thuggee and Dacoitee, to C. U. Aitchison, Esq., C. S. I., Secretary to the Government of India, Foreign Department,—No. 61A., dated Jalnah, 11th February 1871.

In your reply, No. 175J, dated 18th November last, to my recent Report of the operations of the Thuggee and Dacoitee Department in Native States, it was observed (paragraph 4), with an expression of regret, that not a single arrest had been made of any thug poisoner.*

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* This was so noticed from a consideration of Statement B. But that document was a statement of the number of criminals who had been *denounced* merely by accomplices during the period under report, but who remained to be arrested. Statement A was of the persons *arrested*; and it showed that 27 poisoners were taken into custody. This is immaterial, however, to the present enquiry, the statement showing that 23 of the number were released, no approvers having, under the existing instructions of Government, been admitted against them. The conviction of the remaining 4 persons took place upon the evidence of some old *Phansigar* thug approvers, who used occasionally to combine strangling with acts of poisoning.

2. In reviewing the crime of thuggee by means of poisons in my report noted in the margin,* I explained (in continuation of former similar representations) the peculiar difficulties which beset effective operations against perpetrators of that particular offence, from the state of the law and other considerations; and in describing it as a crime "which had gained that head, that no effort should be left untried for putting down an evil of so frightful a magnitude," I not only represented the necessity to amend the existing law against the offence of poisoning, but I also solicited permission to apply the *Approver System* towards its suppression—urging in support of these proposals, "that if, as I could not but believe, Government should not object, under so dire a necessity, *to subsist a larger body of approvers* than hitherto had been usual in proceedings against thug stranglers, the necessity for maintaining a larger body of such persons was no argument against the adoption of the 'Approver System' for the same effectual suppression of a crime the continued prevalence of which might otherwise become an opprobrium to our rule."

* To the Secretary to the Government of India, Foreign Department, No. 566, dated 17th July 1861, para. 56.

3. The reply I was honored with† was to the effect that the Government of India did not think it necessary to act on my suggestion for an alteration of the existing law. A proposal to enact it to be penal to be found in the possession of poisonous drugs without a license, was also negatived, and in the matter of the "Approver System" I was informed that the Governor General in Council did not concur in my views of the expediency of that proposal.

† The Secretary to the Government of India, Foreign Department, to the General Superintendent, No. 5343, dated 16th September 1861.

4. The same proposals were subsequently, from time to time, again urged by other authorities. They were once more brought forward so late even as 1868.

5. And when, at an intermediate period in 1865, it was essayed by Mr. Reily by my advice, consequent on the somewhat modified orders of 1863,‡ to introduce the Approver System against some bands of professional poisoners practising in some of the districts of Bengal, to whose suppression he had been specially appointed and been placed under my directions, the local Magistrate even declared its illegality and objected to allow it.

‡ Secretary, Home Department, to the Secretary to the Government, North-Western Provinces, No. 1545, dated 6th March 1865, para. 12.

6. In a Report to the Government of India in the Home Department,§ when I again ventured to urge the expediency of a special law restricting the *sale* and *possession* of poisons, I stated of the crime of thuggee by means of poisons that "life was generally taken, or if the victims recovered, they did so at the sacrifice of their health and intellect; that in frequent instances there was no Police detection;" and further, that "*I had long aimed to gain for the subject the consideration it merited*" and in my last report on the crime,‖ I once more submitted of it as follows: "That the old crime of thuggee by strangulation has been superseded by that of *poisoning*, is, I believe, now generally admitted, or it would be admitted, from the information pre-

§ No. 930, dated 13th September 1865.

‖ To the Government of India in the Home Department, No. 624, dated 1st August 1868.

sented by these statements alone, *if former reports had not sufficiently established the fact*; and it is only *in continuation of my very earnest efforts for the suppression of the dreadful evil* that I have ventured to come up to Government with these proposals,—an evil accomplished by secret means at once diabolical and cowardly, and which if it should not be attended with the destruction of *life* in every case, the destruction thereof is so far contemplated that the *purpose* being effected, namely, *the robbery of the victim*, it is of no concern to the criminal whether the man dies or not, his recovery being, on the other hand, often attended with the sacrifice of his intellect or of his bodily health; and under these conditions I humbly commend these statements to the consideration of Government."

7. Although the orders of Government declining to allow the "Approver System" to be applied to the suppression of the crime of thuggee by means of poisons, and other dissents, were issued at a period when the executive agency of the Thuggee and Dacoitee Department had not been withdrawn from British districts, and were passed more directly on a report of the prevalence of the crime in some British districts, a reconsideration of that report will show that the propositions submitted in it for the easier suppression of the crime, wherever it should take place, *had reference to the whole of India*. What was an objection, moreover, in British territory, would equally be an objection in Native States, the British functionaries in which were guided so much in their judicial investigations—and correctly so guided—by the principles of the Indian Penal and Criminal Procedure Codes. Government is further aware that the "Approver System" was the only mode of procedure followed by this Department for the suppression of the criminal classes against which its operations were directed. Any orders, therefore, which denied to the Department that special mode of procedure, were, I would submit, virtually to interdict any operations on its part against the particular class of criminals to whose suppression the adoption thereof had been formally solicited.

8. I would therefore respectfully ask for some further instructions on the subject; and with such a view, I beg you to submit the accompanying printed file of papers to the notice of His Excellency the Viceroy and Governor General in Council, comprising as they do in a collected form the most noteworthy of the correspondence which has from time to time taken place on this very important question.

From SIR GEORGE COUPER, Bart., Secretary to the Government, North-Western Provinces, to MAJOR CHARLES HERVEY, General Superintendent of Operations for the Suppression of Thuggee and Dacoitee,—No. 2417A, dated 13th September 1860.

I am directed by the Lieutenant-Governor to transmit the accompanying copies of correspondence as per margin, relating to certain cases reported as having occurred in the Benares Division during 1859, in which poisonous drugs were administered for purposes of theft.

Extract, paragraph 41, from letter No. 90, dated 21st May, from Commissioner of Benares.
Extract from the Azimgurh Magistrate's Narrative of heinous crimes during 1859 (1 case).
Extract from the Benares Magistrate's Narrative of heinous crimes during 1859 (5 cases).
Extract from the Mirzapore Magistrate's Narrative of heinous crimes during 1859 (1 case).

2. There is, in His Honor's opinion, no doubt that, as observed by the Magistrate of Benares, it is very difficult, in cases of this nature, to trace the offenders, from the very fact that their victims are left in a state of stupefaction, and seldom recover till the former have placed miles behind them. There is but one remedy for organised crimes of this kind. The efforts of the magisterial officers, within their respective jurisdictions, may result in the detection of the offenders in one or more isolated cases, but it cannot avail for the effectual repression of the crime. A single agency, with continuous jurisdiction along the several main lines of traffic, and with the means at its disposal of making rapid and uninterrupted pursuit, is the only one at all calculated to cope successfully with this crime.

3. I am accordingly desired to request that you will have the goodness to state whether you can spare an officer to devote himself to the investigation of these cases, and the suppression of this crime,—a crime most dangerous to society and opprobrious to our rule.

Extract, paragraphs 1, 2, 6, 7, 8, 9, and 10, of a letter from MAJOR CHARLES HERVEY, General Superintendent of Operations for the Suppression of Thuggee and Dacoitee, to the Secretary to the Government, North-Western Provinces,—No. 751, dated Jubbulpore, 24th September 1860.

I have the honor to acknowledge the receipt of your letter No. 2417A., under date 13th instant, on the subject marginally noticed, calling upon me to state whether an officer from this Department could be spared for the investigation of the crime mentioned.

The prevalence of the crime of dhatoora thuggee, or robbery by administering deleterious drugs, in the Benares Division of the North-Western Provinces.

2. In reply I have the honor to state that I think the duty may safely be entrusted to Captain Chamberlain, the Assistant for Oudh and the North-Western Provinces, an officer of experience and research. His attention is already directed to the crime, as shown in the annexures, and as it is very probable that the information he has already acquired of the criminals, although in another territory, will lead him to the detection of others, and carry him from gang to gang of those who are in the habit of practising this now growing evil in the districts under notice, it would serve to give unity to the proceedings of the Department against this particular class of transgressors—since the same enquiry is engaging the attention of all our other Assistants—were an officer of the Department employed against them *who should act under the special rules under which its operations are conducted,* instead of any other officer who may not be similarly controlled.

* * * * * *

6. I consider it, I submit with great respect, most opportune to the interests of the Native community that this subject has gained the serious attention of His Honor the Lieutenant-Governor. My own, I would represent, had long been turned to it, and during my employment in another presidency—impressed that the crime was of a very formidable nature, that it had in fact superseded thuggee by strangulation, and that the danger of its gaining head was, as had been urged in another place, in proportion to the difficulty of detection—I had long to combat many adverse circumstances before I could rouse, if I may so express myself, that attention to it which its heinousness demanded. Since my appointment

to the head of the Department, I have perceived that, not confined to the territories hitherto in my charge, the crime prevailed in every other portion of India. But while the Assistants of the Department are strenuous in their efforts to cope with it, *the state of the law* does not, I would bring to notice, admit of that facility for an effectual and speedy remedy the agents of the Department possess by means of special legislation in their operations against other organised crimes, obviously so essential in any combined efforts for its repression. His Honor has truly observed that it is very difficult to trace the offenders from the very fact that their victims are left in a state of stupefaction, and seldom recover till the criminals have placed miles behind them: but that is not, I submit, the only difficulty; the almost insurmountable one is, that the men by whom the drug is administered are generally in such disguises, that by persons just recovered from a state of insensibility it is generally vain to expect that they should be recognised, should they by any chance be seized and confronted with them,—to which I would add that in the greater frequency of cases such as have come under my notice, the poisons are dispensed but by a single person, but whose associates are at hand, and only present themselves when stupefaction has already supervened; that the doses are administered without reference to their direct noxiousness to human life, or to the bodily condition of the victim to be practised upon; that consequently death is the fatal result from an overdose, and, what may be regarded as the worst feature of the difficulty attending repression, *in perhaps nine cases out of ten of robbery by means of deleterious drugs, it is only when death has been the result that the Police have become aware of the crime having been committed*, as, in the generality of cases, persons when awakened to their senses have been too glad to have escaped with their lives, to care much to make any complaint of their having been robbed. Under these circumstances, it is painfully obvious that, for the detection of such criminals, recourse may only be had to a means which, although in an enlightened age it should be regarded to be but a *coarse* means, is the only efficient one for successfully coping with a class of miscreants whose devices defy every other process for their detection and punishment, living as they do among an habitually apathetic and easily deluded people, where race is antagonistic with race, and life so trifled with, the inhabitants giving but little assistance to the Police, the Police themselves being indifferent and backward, except when urged to exertion by fear of dismissal, such as caused by the discovery of a dead body, and the great bulk of the people being, moreover, averse to report the perpetration of crime, from a keen sense of the inconvenience of being obliged to go long distances to give evidence about it,—*I allude to the means acquired from the evidence of accomplices.*

7. I am therefore led, seeing that His Honor is determined to adopt strenuous measures for the suppression of these evil-doers, to reagitate a question which I had long laboured at, *viz.*, that relating to the insufficiency of the present law for the punishment of poisoners, *if they may be successfully opposed through the agency of this Department*, and to the conversion of Act XXIX of 1850,* the operation of which is at present confined to the limits of the jurisdiction only of the several Supreme Courts of Judicature, *to a law for all India*, to

* Entituled an Act to amend Act XXXI of 1838, for the prevention of poisoning.

enable the Department to commit cases of the nature under enquiry for trial to the regular Courts, with some hope of obtaining on conviction the extreme awards that law provides,—for by such awards only may these offenders be restrained, and under operation of them the officers of the Department may reasonably place a greater reliance upon eliciting acceptable evidence from the accomplices they may admit to be approvers, than they could upon the testimony of men who under operation of the ordinary Mofussil law should be sentenced only to some limited term of imprisonment;—and with such a view, I venture to submit for His Honor's perusal the pages of the accompanying volume noted in the margin,* as perhaps furnishing matter altogether relevant to a consideration of the subject, although its scope should refer to another part of the country.

* Pages 107 to 146 E of Selections from the Records of the Bombay Government in the Police Branch, No. 1, new series.

8. From these documents it will appear to the Lieutenant-Governor that the crime as practised in other territories—and, I may say, generally everywhere in India—answers to the description of it as narrated in the cases in the Benares Division which formed the accompaniments to your letter under reply, and they may perhaps serve to impress His Honor with a more pressing necessity for the adoption of some more stringent measures if we would conscientiously endeavour to check what has aptly been pointed at in your letter *as an opprobrium to our rule;* for I cannot but lament the necessity the Department is so often under of having recourse to Non-Regulation Courts to which to commit its cases for trial, in which, although not in all (and here I allude to those Courts which although called *non-regulation* are still hampered with technicalities and with rules and regulations), not only is the evidence of accomplices and the proofs afforded by the documentary evidence it has been the practice in this Department to send up, generally admitted for the purposes of conviction, but in which, as in the Courts of Law in the Punjab and Oudh, cases of poisoning are viewed as cases of thuggee, and are tried accordingly under the operation of Act XXX of 1836 and its subsequent enactments—a result not to be hoped for, it may be presumed from the printed pages I have submitted, from the ordinary process of the law in Regulation Courts, except the territorial scope of Act XXIX of 1850 should be enacted to apply, as I have advocated, *to the whole of British India.*

9. I would also, with a view to admitting at once of a full consideration of the subject, place to the notice of the Lieutenant-Governor the documents I have also ventured to annex on this subject,† as on the question of making it *penal* to be found in the possession of deleterious drugs, as contemplated by the

† 1. Captain Chamberlain, Assistant General Superintendent, at Lucknow, to the General Superintendent, No 33, dated 5th July 1860.

2. Major Evans, Officiating Commissioner, to the Deputy Commissioner, Conao (demi-official), dated 15th June 1860.

3. Major Evans, to Captain Chamberlain (demi-official), dated 16th June 1860.

4. Major Hervey, General Superintendent, to Captain Chamberlain, Assistant General Superintendent, No. 524, dated 14th July 1860.

5. Major Hervey, to the Magistrate of Muttra, No. 558, dated 26th July 1860.

6. Captain Chamberlain, Assistant General Superintendent, to the Secretary to the Government of Oudh, No. 37, dated 14th July 1860.

7. The Commissioner and Superintendent of Lucknow, to the Secretary to the Chief Commissioner of Oudh, No. 2027, dated 3rd July 1860.

8. The Deputy Commissioner of Oonao, to the Commissioner and Superintendent, No. 286, dated 28th June 1860.

9. The Secretary to the Chief Commissioner, to the Commissioner and Superintendent, No. 1380, dated 7th July 1860.

10. Major Hervey, General Superintendent, to Captain Chamberlain, No. 651, dated 21st August 1860.

11. Major Hervey, General Superintendent, to the Magistrate of Poona, No. 110, dated 21st June 1852.

12. H. L. Anderson, Esq., Secretary to the Government of Bombay, to Major Hervey, Assistant General Superintendent at Belgaum, No. 1509, dated 2nd June 1858.

13. Extract, paras. 3 to 10, of a Government Resolution (Bombay) to the Register, Sudder Foujdaree Adawlut, No. 1508, dated 2nd June 1858.

14. Major Hervey, General Superintendent, to J. A. Craigie, Esq., Session Judge, Saugor and Nerbudda Territories, No. 324, dated 26th April 1860.

15. Mr. Craigie, Session Judge, to Major Hervey, General Superintendent, No. 32, dated 2nd May 1860.

16. Major Hervey, General Superintendent, to J. A. Craigie, Esq., Session Judge, No. 425, dated 1st October 1859.

17. Mr. Craigie, to Major Hervey, General Superintendent, No. 51, dated 5th October 1859.

Government of Bombay, obtaining under the Government of the Punjab, viewed by the late lamented Mr. J. A. Craigie in his place of Session Judge for the Saugor and Nerbudda Territories, and as proposed by me for adoption in the Province of Oudh. It will be manifest to the Lieutenant-Governor that if such a law were passed, the facilities for committing the crime under enquiry would be very much circumscribed, and a very powerful agency established towards its speedier suppression. A document which, as an accompaniment to one of the letters now submitted, is also appended,* may also suggest the adoption in the Provinces of the North-West of the precautionary measure it advocates, for the purpose in view, for the surveillance of the roads of traffic by the Police.

* Captain Hervey, Assistant General Superintendent at Belgaum, to the Magistrate of Poona, No. 110, dated 21st June 1850.

10. I submit this report with the greatest deference, and I trust I shall not by it be deemed to have overstepped the bounds of my duty, or to have needlessly entered into a subject which in your letter under reply I had not been requested to report upon. I might have confined my reply to the enquiry conveyed, but it has been my desire to present for consideration that the crime under notice had already engaged the serious attention of the Thuggee Department. With a sense of the difficulties that have hitherto presented themselves, and under a conviction of a necessity for the adoption of the promptest remedies for its extinction, I hail the serious view of it that has been taken by the Lieutenant-Governor, on which to build a hope that those remedies will no longer be delayed, and I have therefore eagerly embraced the opportunity your enquiry afforded me, for bringing the whole subject under His Honor's further consideration.

Extract, paragraphs 1, 4, 5, and 6, of a letter from the Secretary to the Government, North-Western Provinces, to the General Superintendent,—No. 179A, dated 25th February 1861.

I am directed to acknowledge the receipt of your letter No. 751, dated 24th September last, and of its enclosures, regarding the measures which may in your opinion be most advantageously taken

for the suppression of the crime of robbery by the administration of poisonous or deleterious drugs, which is becoming rife in these Provinces, and in adjacent territory.

* * * * * *

4. With respect to your proposal that the provisions of Act XXIX of 1850 should be applicable to all India, I am to point out to you that this Government seems hardly the proper channel through which to submit such a proposition. The Lieutenant-Governor believes that the crime of robbery by the administration of poisonous or deleterious drugs is not more rife in these Provinces than it is in the other parts of the Indian Empire which are not subject to his jurisdiction, and it therefore occurs to His Honor that, if you are deliberately of opinion that it would be advisable to extend the provisions of the Act in the manner which you have now suggested, it would be well for you to submit the proposal for the consideration and orders of the Government of India in that Department to which you are immediately subordinate.

5. Your other proposal *viz.*, that it be made a penal offence to be found in the possession of deleterious drugs, can only be carried out by special legislative enactment, and the Lieutenant-Governor would suggest that you refer this important question also at the same time for the consideration of His Excellency the Viceroy in Council.

6. In conclusion, I am to express the Lieutenant-Governor's acknowledgments of the obliging readiness which you have displayed in at once coming forward to aid this Government with your advice and assistance in its endeavours to suppress the prevalence of these mysterious crimes.

Circular from MAJOR CHARLES HERVEY, to his Assistants in the Thuggee Department, and to CAPTAIN WATSON, on special duty at Benares,—dated 23rd September 1861.

I have the honor to inform you that it has been ruled by the Government of India that the "Approver System" shall not be followed in this Department in cases of poisoning.*

* Paragraph 5 of Government letter No. 5343, dated 16th September 1861.

2. I have therefore to request that in all such cases investigated by you which do not come within the meaning of Act III of 1848, you will not admit confessing parties to be approvers according to the system observed in this Department, but only to be Queen's evidence according to ordinary magisterial process, to the Regulation as to which you are referred,† and then only when absolutely necessary, and after reference to this office when the reference can be made without detriment to the progress of the enquiry on hand.

† Regulation X of 1829, Section 3.

3. The statements of such persons should, however, be invariably taken down according to departmental custom,—that is to say, in the same manner and with the same precautions as the statements of approvers have hitherto been recorded.

From MAJOR CHARLES HERVEY, General Superintendent, to SIR GEORGE COUPER, Bart., Secretary to the Government of the North-Western Provinces,—No. 852, dated 21st October 1861.

With reference to the extract from my general report as per margin,* on the subject of the crime of poisoning, submitted for the information of the Lieutenant-Governor with my letter under date 27th July 1861, No. 596, I have now the honor to furnish an extract from the reply† I have received, communicating that my propositions for the conversion of Act XXIX of 1850 into a law for all India, and for the enactment of a law making it penal to be found in the possession of deleterious drugs, have not met with approval from the Government of India.

* To the Government of India, No. 566, dated 17th July 1861, paragraph 56.

† Paragraphs 4 and 5 of a letter from the Secretary to the Government of India, in the Foreign Department, No. 5343, dated 10th September 1861.

2. The clause in the new Penal Code to which I have been referred (328), the Lieutenant-Governor will perceive, limits the punishment of criminals of this class *to imprisonment for ten years only*—my proposal having been that effectually to put down this now growing crime, the sentence should, on conviction, *be transportation for life.*

3. His Excellency the Governor General in Council has also, it will be observed, objected to the "Approver System" being applied to cases of poisoning,—*a decision which will necessarily very much impede the co-operation of this Department in the suppression of the crime.* My effort was to show that more reliable evidence was to be obtained from an accomplice who, according to the process obtaining in this Department in like cases, should already be a convicted criminal *under an extreme sentence of the law*, than from an accomplice who in conformity with ordinary magisterial procedure should have been admitted what is technically called a *Queen's evidence* only. The former, namely, *approvers,*—I also showed, *would, as conditionally pardoned persons in life-long custody, be impotent for future mischief* ; while the latter, by their free pardon and release, *would be enabled at any time to revert to the crime.* I would submit, for instance, that the accomplices who gave their evidence in the case of poisoning lately successfully worked out by Captain Watson at Benares, would, according to my proposal, have still remained in custody, but who by their admission as Queen's evidence only, will, on their consequent liberation, be able to renew their criminal associations,—the experience of this Department being that such persons generally acquire the opportunity, as they possess the inclination for doing so.

4. I beg to submit a copy of the instructions on this subject as per margin,‡ issued by me to the officers employed on this duty in the North-Western Provinces, consequent on the above restrictions from the Government of India.

‡ Circular to Major Dickson, Captain Chamberlain, and Captain Watson, No. 749, dated 23rd September 1861.

Extract, paragraphs 7 and 22, of a letter from MAJOR CHARLES HERVEY, General Superintendent, to COLONEL DURAND, C.B., Secretary to the Government of India, Foreign Department,—No. 640, dated 31st July 1862.

7. * * * * The crime of poisoning prevails (I believe throughout India) without sensible diminution, but owing to the recent orders

† Printed at pages 28 to 33.

of Government *not* to apply the *approver system* in such cases, this Department has not been able to take up any very effectual proceedings in its suppression, *it being mainly upon the evidence of approvers that its operations are conducted.* In cases of a professional nature, however, that may be classed under "Thuggee" as defined in section 310 of the Penal Code, my instructions to Assistants are to admit approvers, and I submit a letter on the subject addressed by me to the Government, North-Western Provinces.*

* The General Superintendent, to the Secretary to the Government, North-Western Provinces. No. 852, dated 21st October 1861.

22. * * * * The action of the Department, as in the year under report, is, as a general measure, for *former* offences only. In new cases of a professional nature, *approvers have first to be procured,* their accomplices registered under general numbers, and other usual and necessary precautions observed; and it therefore often happens that some time elapses before the criminals are brought to trial: hence why fresh cases cannot always be at once determined upon. Experience will generally indicate by what particular class a crime has been committed, but time is necessary for its fuller development.

From MAJOR CHARLES HERVEY, General Superintendent, to CAPTAIN J. T. WATSON, District Superintendent of Police, on special duty at Benares,—No. 743, dated 20th September 1861.

I have been informed by the Secretary to Government, North-Western Provinces,† that you have been specially charged with the investigations into cases of robbery by means of poisons, and have been directed, as recommended by the Inspector-General of Police, North-Western Provinces, to consider yourself under my directions and guidance as the Head of the Department for the suppression of that crime.

† No. 959A, dated 7th September 1861.

2. Copies of letters as per margin‡ have been forwarded to me with the communication, from which I learn that you have obtained information of a gang of poisoners, consisting of both sexes, for whose detection and punishment you have been deputed as above. Of this discovery I had already been apprised by receiving from the Commissioner of the Saugor and Nerbudda Territories a copy of your letter to his address, No. 101, dated 9th August 1861, in which you had requested him to obtain information of some of the parties named in the documents received as above from Government.

‡ 1. The Inspector-General of Police, North-Western Provinces, to the Secretary to Government, North-Western Provinces, No. 201A., dated 22nd August 1861.
2. Captain Watson, District Superintendent of Police, Benares, to the Inspector-General of Police, North-Western Provinces, No. 98, dated 5th August 1861.
3. Ditto ditto, to ditto ditto, No. 100, dated 6th August 1861.
4. The Secretary to Government, North-Western Provinces, to the Inspector-General of Police, North-Western Provinces, No. 957A., dated 7th September 1861.

3. Your discovery is an important one, and I shall be glad to hear from you of the result of your references to the authorities of

Bundelcund, &c., in regard to those persons who have been stated by your informants to be the chief actors in the confederacy.*

* Ranee Lulloo, Rajah Zalim Sing, and Beharee.

*   *   *   *   *   *

5. The offer of a *free pardon* to the woman Brij Bussia, as sanctioned by the Government North-Western Provinces, in the 4th paragraph of the Secretary's letter to Mr. Court, you will perceive *to be somewhat contrary to our practice.* A prospect of eventual release generally leads the party to give only partial evidence, and the remission of the unexpired portion of a period of imprisonment so limited as 18 months only may lead the woman, I am afraid, to consider the boon incommensurate with the information she is able to impart.† I should have preferred putting her upon her trial for her admissions to you (after they should have been authenticated), the full penalty (death or transportation for life) being awarded on her conviction, and a *conditional pardon* then promised her, on her divulging to you every portion of her criminal career. But the orders of the Government must in this case be strictly acted up to. In the case of other revelations, it will be necessary for you to act otherwise. Criminals of such a class, moreover, when released, generally revert to their former evil practices, and it will be incumbent upon us to avert such a contingency in the case of other persons whom it may be necessary to admit as approvers.

† *P. S.*—She was afterwards discovered to be untrustworthy.—C. H.

6. It will also be necessary to take down the confessions of such persons in a uniform manner; for, upon the care taken in recording such documents, very much rests the value of the evidence they impart in connection with that recorded by other accomplices, whether before yourself or in the Courts of the officers co-operating with you; and with such a view you will be furnished, as soon as prepared, for your guidance, with a copy of a confession lately made to myself by a criminal of the same class as that against which you are now engaged.‡

‡ Lutchmun Dass, Byragee.

7. As the information imparted to you by the woman "Simorkee" (as written in the papers received from you, but stated to be *Simertee* in those received from Captain Chamberlain) would seem to be of importance as being confirmatory in some degree of the revelations of Brij Bussia, it will perhaps be advisable to admit her also as an approver, and you should therefore take down her confessions according to the above form.

8. Every act of crime spoken to by a confessing party should at once be referred to the local authority where it is stated to have occurred, for verification, and which I have no doubt you have already done in respect to those that have already been admitted to yourself, for it will be of the utmost importance to the success of your enquiries. The confession, your references, the answers you receive, and every paper connected with each case, should be recorded, as shown in the annexures, in a separate *missul.* Registers should also be kept by you of every ascertained instance of crime; and of the name of every accomplice denounced in the several confessions, with forms of which you will be furnished. The names of places and of individuals should be written and *spelt,* whether in your registers or in your communications and references, in a legible manner and *exactly as originally recorded.* A deviation from such a course

involves a great deal of inconvenience, and sometimes great confusion. Trying authorities are also sometimes inclined to throw discredit upon testimony in which such discrepancies exist; and I bring this to your notice thus early, because the names of the persons and places mentioned in the documents forwarded to me from yourself, differ more or less with those written in the same papers received from Government and from Captain Chamberlain.

Extract, paragraphs 2, 3, 4, 5, 7, 8, 9, and 10, of a demi-official letter from MAJOR HERVEY, General Superintendent, to CAPTAIN WATSON,—dated 27th September 1861.

* * * * * *

2. If the woman Simorkee's statements stand the tests of authenticity you will put them to, it would, as you suggest, be advisable to promise her a pardon; and you should, in holding out such a pardon to her, let her understand that it must be contingent upon such a result—that is, dependent upon her stories being verified.

3. If you find that she belongs to an isolated gang, then, as directed in my last official (circular No. 757), you must admit her as Queen's evidence only, the result of which will be that, after she has fulfilled her part of the compact, she will be liberated, which, as I remarked in my official No. 743, *is contrary to the practice of the Thuggee Department*; but it cannot be helped, Government have so ruled it, and their orders must be attended to, *damaging although in my own apprehension they will be, to any* EFFECTUAL *blow against the crime.*

4. But if, on the other hand, you find she belongs to a regular organised gang habitually concerned or associated with any other for the purpose of committing robbery by means intended by its members, or known by them, to be likely to cause death,—that is to say, if she and her associates in crime may be brought under the meaning of Act III of 1848, and of the Acts of which that Act is a continuation, then, as implied in my circular letter above adverted to, you will have it in your power to offer her *a conditional pardon*,—that is, to offer to admit her as an approver *on her consenting to be tried upon her confessions under that Act*, the punishment awarded to her on conviction, whatever its extent, being held in abeyance as long as she abides by her own engagements to be faithful and true in all that she says and does,—the whole process of which you will find detailed in the printed correspondence furnished to you with my letter No. 743.

5. It might help you in your investigations of this crime to read the papers from pages 107 to 145 in a compilation of mine styled "Selections from the Records of the Bombay Government in the Police Branch—No. 1, *new* series—Bombay, 1859," a copy of which you will find in the local Magistrate's office, for the volume was circulated.

* * * * * *

7. From those papers you will perceive that this system of empoisonment is pretty nearly similar *everywhere*; and the difficulty of detection and conviction, *except from the evidence of accomplices*, to be also the same everywhere.

8. I will send for your further information what has subsequently been written on the same subject, that you may altogether understand as much about the crime, the difficulties to be encountered in its suppression, &c., as we ourselves know, and so be able to see your way clearly.

My letter to the Government, North-Western Provinces, No. 751, dated 24th September 1860.
The reply to it, No. 179 A., dated 25th February 1861.
Extract, paragraph 56, from my letter to the Government of India, No. 566, dated 17th July 1861.

9. The last document in the series quoted in the margin above has lately been replied to by the Government of India, *declining to sanction the Approver system;* hence my recent circular letter already referred to, No. 757. Government also stated that my proposal for the conversion of Act XXIX of 1850 to an Act for all India was met by clause 328 of the new Penal Code, and that my proposition to make it penal to be found in the possession of poisons except when licensed, could not be assented to.

10. I am in hopes that Government will yet see the expediency of altering its decision on these important points; but meanwhile it will be our duty to do the best we can upon the laws already in existence.

Extract, paragraphs 26, 27, and 28, of a letter from CAPTAIN (now LIEUTENANT-COLONEL) T. H. CHAMBERLAIN, Assistant General Superintendent at Lucknow, to MAJOR HERVEY, General Superintendent,—No. 71B., dated 11th March 1862.

26. Of all crimes, I know of none where the agency is so subtle as poisoning; but however successful one may be in arriving at clues, there is no doubt that *short punishments* on convictions are *not likely to put a stop to this horrible mode of obtaining a livelihood.* The Penal Code has many sections which affect this crime, but I think the 326th and 394th should alone be used to extirpate it.

27. Any prisoner committed under section 328 will know that the power of the law *can only affect his liberty for ten years.* Similarly so the 382nd section; and where there are such natural facilities for committing crime with greater chances against discovery than of discovery,—with mineral poisons purchasable in the bazars and with vegetable poisons procurable at their own seasons at little personal labour,—I think it is subject of very grave reflection whether every case of poisoning for the sake of theft, and done in public places and highroads, should not be made over to the Sessions Courts as a *sine quâ non* on *those sections only* which will on proof result in the serverest terms the law can dictate.

28. It is not for me to say aught which can be antagonistic to the will or opinion of the Supreme Government. You have yourself very strongly urged the matter on the attention of the Government of India, who after mature deliberation have desired that the "Approver System" shall *not* extend to poisoners. To meet the means of securing punishment which the Approver System met, by proof of profession, but which its non-extension might preclude, I have ventured to suggest the above ourse in the preceding paragraph.

Extract, paragraphs 1 and 2, of a letter from MAJOR HERVEY, General Superintendent, to SIR GEORGE COUPER, Bart., C.B., Secretary to the Government of the North-Western Provinces,—No. 656, dated 6th August 1862.

With reference to the notification of Government, No. 177, under date 25th February 1861, directing Magistrates to refer all poisoning cases in the North-Western Provinces to Major Chamberlain, Assistant General Superintendent at Lucknow, whose services in supervising them I had tendered to the Lieutenant-Governor, I have the honor to submit an original report* and its accompanying statement received from that officer, detailing his proceedings in that duty up to the close of the past year; and in doing so I would, with respect to paragraph 28 of Captain Chamberlain's report, solicit a reference to my letter to your address, No. 852, bearing date 21st October 1861, in which I stated that under the instructions subsequently received from the Government of India *not* to apply the Approver System to cases of poisoning, *this Department would be unable to render any very effectual co-operation in the suppression of that crime.*

* No. 71B., dated 11th March 1862.

2. No pains, however, have been spared by Major Chamberlain in the duty, and the measure of referring the action in each case to his suggestions has had at least the salutary effect of keeping up a general intelligence among Magistrates and Police Officers in respect to the crime, which has perhaps in some degree tended *to check its more frequent commission,* although more should not have been done in the conviction and the punishment of the perpetrators. * * *

Extract, paragraph 6, from a letter from SIR GEORGE COUPER, Bart., C.B., Secretary to the Government, North-Western Provinces, to the General Superintendent,—No. 780A., dated 28th October 1862.

6. With regard to the 26th and 27th paragraphs of Major Chamberlain's communication, I am to observe that, in the opinion of His Honour, as the law at present stands, offences of this description can only be dealt with under section 328 of the Code; but it is to be hoped that the Supreme Government will receive his representations on the subject favourably, and pass an Act for the more stringent punishment of this description of crime.

Extract, paragraphs 4 and 5, of a demi-official letter from MR. REILY, on special duty, to COLONEL HERVEY,—dated 22nd April 1865.

4. *It is well known that without an approver it is idle to expect to discover any gangs of thugs or poisoners.* Since my arrival at Patna I have endeavoured to obtain a confession as some kind of guide in prosecuting my enquiries, especially as Major Patterson reports that the recent cases are the work of regular gangs.

5. I learnt that there were some prisoners in the Jail at Patna who had been convicted as poisoners by the late Dacoitee Commissioner, Mr. Vincent. With the permission of the Magistrate I saw these men, and after several visits, a prisoner named Luchmun, who is under sentence of

ten years' imprisonment for this crime, gave me information which appeared valuable and true. I have had his deposition recorded by the Magistrate, and the prisoner has been made over to me, to test the truth of his statements, and to trace the men belonging to his gang, who it appears are still at work in these districts. I shall keep you informed of this attempt to secure the services of an approver.

Extract, paragraphs 2 and 3, of a letter from COLONEL CHARLES HERVEY, General Superintendent, Thuggee and Dacoitee Department, to MR. REILY, on special duty,—No. 400, dated 25th April 1865.

2. I think you have made a very fair and an intelligent commencement in the enquiries into the recent poisoning cases upon which you have been deputed.

3. Pray follow up the information given you by the convict Luchmun. *It will lead to a deal more.* But feel yourself assured of its general correctness by references to local authorities on all points of it which are susceptible of corroboration.

Extract, paragraphs 1, 2, 3, 4, 5, 6, and 10, of a demi-official letter from COLONEL CHARLES HERVEY to MR. REILY,—dated 20th May 1865.

Your proceedings as communicated in yours of the 15th instant (just received) are very satisfactory. Pray proceed in the same vigorous and intelligent manner, and you may rely on success.

2. What you have as yet elicited is delightful. Do not be abashed at your having only *Police* powers as yet. I know from experience the great difficulty you have to surmount in such a position, and I shall, I hope, be easily able to have you vested with joint magisterial powers in due time. First let us feel assured of your success in the cases you have unravelled, and of the result of the first one or two cases committed for trial. It would then be for me to show cause for the desired alteration in your powers.

3. I would endeavour to get the Monghyr Magistrate (whose practical view of the business is very much to be appreciated) to commit the culprits as *thugs* under *Sections 310 and 311 of the Penal Code*, by which a more sufficient punishment is obtainable on conviction than if the case is treated as an isolated instance of crime only under Section 328. The confessions of Zalim and of his two servants Jebur and Nathoo would amply, I should suppose, go to prove that they and their accomplices *are thugs* as interpreted in the old law (Act III of 1848) which has been absorbed into the sections on the subject in the new Code.

4. But before any cases are committed on the evidence of accomplices, *it would be necessary for you to commit the accomplices themselves on their own confessions*, for I have no desire that any of them should be admitted as "*Queen's evidence*" merely, and so be set free and thus revert to the crime.

5. It is proper in order to make such men trustworthy as approvers, and to show them the penalty of giving partial evidence only, *that a*

sentence of death or transportation for life be awarded them in the first instance, exemption from which being held in abeyance pending their faithful services.

6. I send you a copy of the conditional pardon which you may grant to an approver, but it should be formally given through an officer with magisterial powers.

* * * * * *

10. I shall always be glad to hear from you. The great chance of success lies in your cordiality with the local Magistrates. Show them that you assume no powers, and that your hopes of accomplishing a very great and important duty rest on the view *they* take of the matter, and you may be sure of getting them to be the most amenable to your representations.

From Colonel Hervey, to Mr. Reily,—No. 459, dated 20th May 1865.

I beg to furnish you with a copy of the conditional pardon under which you are able, through and with the intervention of any Magistrate, to admit a thug poisoner to be an approver.

2. On any man desiring to become an approver, you should have him to record a full narrative of the whole of his criminal career, in which are detailed the dates (as near as possible) and the circumstances of each act of crime, and a full list of his accomplices in each. *He should be kept in strict separate confinement while recording this narrative.*

3. When by the references you would make to local authorities in confirmation of the incidents detailed by him, you are satisfied with his trustworthiness, you should then commit him for trial, under Sections 310 and 311 of the Indian Penal Code, on his own admissions, supported with proofs of the *actual occurrence of some of the crimes he has confessed to;* and *he should then plead guilty* and put in the certificate which has been given to him as above. If he should *not* plead guilty, he must stand the consequences, the certificate becoming in such a case *null and void.* But if he abides by his engagements to serve as an approver, *and to go through the above ordeal of trial,* the execution of the sentence which shall be passed upon him on conviction will then, as guaranteed in the said certificate, be held in abeyance while he continues to act with good faith.

4. The man will thus be always in custody *as an approver,* and the best means will have been adopted for eliciting safe evidence from him against his accomplices.

From Colonel Hervey to Mr. Reily,—No. 474, dated 26th May 1865.

I am glad to learn by your letter under date 21st instant of your further success in the enquiries upon which you are specially employed.

2. Pray do not think of handing over any of the cases yet awhile to the local Superintendent of Police. The enquiry is far too important and the ramifications of the crime too extensive and diffuse, for the duty to be transferred, in its present stage, to officers having limited areas

of action only. We must carry on the research with vigour, and bring it to a termination only when we are satisfied that we have brought the most of the culprits concerned to justice.

3. I am sorry to learn you have admitted Zalim, or any one, as "Queen's evidence" only. My late letter on the subject, No. 459, dated 20th instant, could not have yet reached you when you did so. Let me beg you not to do so again without reference to me. *Such men only revert to the crime;* and they give besides, but partial evidence, *accusing only those they do not care for, and screening their friends.*

Extract from a demi-official letter from Mr. Reily to Colonel Hervey,—dated 25th May 1865.

The Magistrates now object to making approvers, and say the Procedure Code will only allow *Queen's witnesses.* They quote Section 203 of Act XXV of 1861 as rendering the offer of a conditional pardon and certificate as *illegal.* When I was Dacoitee Commissioner at Hooghly in 1862, it was under this section that the Judge refused to allow approvers in cases which occurred *after* the passing of the Penal Code. I shall, however, do all I can to carry out your instructions.

Demi-official letter from Mr. Reily to Colonel Hervey,—dated 25th May 1865.

With reference to your letter No. 459, dated the 20th instant, I beg to state that the Magistrate of Monghyr gave a free pardon to Zalim under Section 209 of Act XXV of 1861, and he is now available as a witness for the Queen against his gang.

2. *The Magistrates now object to any conditional pardon being offered to a prisoner, as contrary to Section 203 of the Act,* and in fact this section *virtually puts a stop to any approvers being made in any case.* A confessing prisoner can only be examined as a witness. No prisoner will confess unless offered a pardon, and the offer of a pardon before conviction, save under Section 209, is now illegal under Section 203.

Extract from a demi-official letter from Mr. Reily to Colonel Hervey,—dated 30th May 1865.

* * * * It is very difficult getting the men who have been drugged. They are birds of passage and it is difficult to trace them. Indeed, the correspondence I have had with District Superintendents and Magistrates in trying to find these men, and also men connected with other cases, has been very harassing. Soodin and Beharee belong to this gang, and I have arrested four others, and have warrants out against about eight more. My great object is to try and break up this gang, *for its ramifications embrace dacoits, robbers, and all kinds of criminals, who appear readily to start on any expedition that promises good loot.** It is out of this gang that one or two go out every now and then on regular poisoning expeditions. If I am to go on, I must have more power than simple Police powers.

* *Vide* paragraph 56 of Colonel Hervey's letter to the Government of India, No. 566, dated 17th July 1861.

Extract, paragraphs 1 and 2, of a letter from MR. REILY to COLONEL HERVEY,—dated 30th May 1865.

With reference to your letter No. 474, dated the 26th instant, I beg to say that the Magistrate of Monghyr offered a free pardon to Zalim, and made him a witness for the Crown. This was done during my absence while engaged in testing the truth of Lutchmun's confessions. I am sure Zalim has concealed a number of cases, and has *not* made a *full* confession, but it is too late to remedy the mistake; at least nothing can be done at present. After the case is over, if we can prove that Zalim has been engaged in any case which he has omitted in his statement, we may proceed against him hereafter.

2. I have already informed you of the difficulty entertained by Magistrates in making approvers, as opposed to Section 203 of Act XXV of 1861.

Extract, paragraph 3, 4, 5, 6, and 7, of a letter from COLONEL HERVEY to MR. REILY,—No. 545, dated 10th June 1865.

3. My wish for this document is in reference to your request for magisterial powers, and to the disinclination of the Magistrates to admit approvers on a conditional pardon.

4. Whatever the interpretation given by the Magistrate to Section 203 of the Criminal Procedure Code, upon which in your letters dated 25th and 30th May 1865 you inform me he bases that objection, it would appear to me that he has not sufficiently considered the provisions supplied by Section 54 of that Code, and by Act XIX of 1837.

5. No *greater* inducement to give evidence is held out to an accomplice by the promise of a conditional pardon authorised by the latter section (54), than by that of a free pardon for such evidence sanctioned by Sections 209 and 210.

6. If a criminal shall of his own accord confess as ruled in the latter part of Section 203, and he be tried and convicted, his evidence against his accomplices *is admissible under Act XIX of* 1837. The conditional pardon held out to him *is for his evidence*, and not for any services *performed*, nor for confessing, but a compact for something *yet to be performed*.

7. The "influence" forbidden by Section 203 refers to influence (*by promise or threat*) which shall induce disclosure or the contrary of what an accused person knows. But the knowledge of the punishments *provided by the law* is often of itself a sufficient *threat* to induce a person to such acts of disclosure or otherwise. If, therefore, an accused person should, under the influence of a *terror of the laws*, disclose his knowledge of an act of crime, his being *influenced* on the other hand to do so *by his knowledge of the leniency of those laws*, and particularly of the favourable provision promised by Section 54 of the Criminal Procedure Code (a widely proclaimed law), cannot be taken to be an *improper* influence, any more than the much more questionable "influence" (*a promise*) by which he should be induced to do so (if questionable at all where *justice* is the main issue), *which is sanctioned by Sections 209 and 210.*

Extract from a letter from Mr. Reily to Colonel Hervey,—dated 14th June 1865.

* * * * The regular Police do not understand this system of working information out of a culprit, and that is the reason why they so seldom succeed in breaking up a gang. *It is the Dacoitee and Thuggee School that teaches officers how to strike at gangs.*

Extract, paras. 2, 3, and 4, of a letter from Colonel Hervey to Mr. Reily,—No. 574, dated 19th June 1865.

2. What was the action of the local Magistrate in reference to the Head Constable from whose custody Seodeen had previously escaped by bribing him?

3. The deaths of the two Kuhars poisoned by Seodeen at Punaghur were reported by the Police to have proceeded *from cholera*. This is a very common course, but you should ascertain from Seodeen the poison which he actually administered on that occasion. A few drops of the juice of the *croton plant* produce all the symptoms of cholera, *and death is generally the result*. If this was used, the Police were not so much to be blamed; but if *dhatoora* was the poison, the report may have been wilful from their failure to detect the culprit.

4. Your proceedings as detailed in your letter seem to have been excellent, and you should persevere. Difficulties are usual in such special investigations, but you will not be deterred by them.

Extract from a letter from Mr. Reily to Colonel Hervey,—dated 24th June 1865.

* * * * If we can now trace the records and discover the sufferers, this would be a very good case. I have applied to the authorities at Bancoorah for the papers. In fact the great difficulty in my proceedings has been the absence of the men who have been drugged—there is no finding them.

Extract, paragraph 307, from the Police Administration Report, North-Western Provinces, for 1866,—dated 1st June 1867.

307. Major Tyrwhitt strongly urges that the territorial scope of Act XXIX of 1850 be extended to all India, instead of being restricted to the limits of the presidency towns, and that the Deputy Inspector-General, to whom the duty of investigating this special crime is assigned, should be invested with the powers of a Magistrate for the purposes of detection, apprehension, and particularly the detention, of offenders charged under Section 328, and for having the drug *dhatoora* on their person or in their houses. On this subject I cannot do better than refer Government to the very exhaustive summary of the laws now in force for the suppression of thuggee by means of poison, given by Lieutenant-Colonel Hervey, C.B., General Superintendent, in his narrative No. 99, dated 21st April 1866. The great facility with which this crime is committed, the difficulties of detection, and the great existing tendency to increase of the crime, as exhibited during the past year, *all point to the*

urgent necessity for more stringent laws, and greater vigour in their application. I earnestly advocate the extension of Act XXIX of 1850 to the whole of India; and would recommend that the Deputy Inspector-General in charge of the superintendence of this Department be invested with Magistrate's powers under Section 6, Act V of 1861.

Extract, paragraphs 21, 22, and 23, from MAJOR TYRWHITT'S Report on Special Crime in the North-Western Provinces,—dated 30th March 1867.

21. And first I would call attention to Colonel Hervey's suggestions in paragraph 199, page 64, of his report.* I quite agree in all he says, and strongly urge that the territorial scope of Act XXIX of 1850 *be extended to all India,* instead of being restricted to the limits of the presidency towns, Calcutta, Madras, and Bombay, for the following reasons :—

1st.—This crime is on the increase.

2nd.—It can be committed by any one cognizant of the properties of the *dhatoora* plant, which plant is procurable from every garden and hedgerow in the country.

3rd.—The facility with which it is committed, and the difficulty with which it is detected owing to the partaker becoming insensible from its effects, in many cases for several hours, and seldom being able to give any information until such time has elapsed as has enabled the *dhatoora* thug to make his escape.

4th.—That it is a most diabolical crime; that it is invariably administered under the garb of frienship; and that the poverty of the traveller avails him nothing against the cupidity of the poisoner,—indeed, it often appears to me that the drug is administered with no other motive than that of *tigerish* delight in cruelty, or by way of practice, as the poorest of the poor (in fact, almost beggars) have been drugged and have perished from its effects.

22. It has in these Provinces *entirely taken the place of thuggee by strangulation,* and during a cholera epidemic we know not how many are killed by it.

23. *Act XXIX of 1850 gives transportation for life,* while Section 328 of the Indian Penal Code *gives only ten years' transportation as punishment;* for these reasons I would urge the extension of the former Act.

* "Section 328, however, meets the entire case, *except in the degree of punishment*; for by it, whoever administers to any person *any* poison or stupefying, intoxicating, or unwholesome drug, with intent to cause hurt, or with intent to facilitate the commission of an offence (*e. g.*, robbery) or knowing it to be likely thereby to cause him injury, may be punished with imprisonment for ten years."

Extract, paragraphs 34, 35, 36, 37, 38, 39, 41, and 42, from a Report from CAPTAIN DENNEHY, Deputy Inspector-General of Police, to the Inspector-General of Police, North-Western Provinces,—dated 28th March 1868.

34. *Utilisation of Approvers in Poisoning and Dacoitee Cases.*—It is impossible to close our eyes to the fact that the crime of robbery by the

administration of poisonous drugs is, if not on the increase, certainly not much diminishing. Each successive year leaves a balance of undetected cases to add to the already considerable list on the files of this office.

35. *The annual statements of other Governments show that it is not in the North-Western Provinces alone that this evil exists.* As a rule, Magistrates and Superintendents take energetic and intelligent action in cases occurring in their districts ; the means of detection at their disposal are fully made use of ; the directions of the Inspector-General on this head are most clear and minute, *but something more would appear to be requisite before we can carry out the spirit of these orders with efficiency and success.*

36. If we seek for the causes of the difficulty of repression of this particular crime, we will find them in—

1*st.*—The inability of a local Police, however efficient, to deal with crimes of this nature, without a specially organised agency.

2*nd.*—The diminution of the degree of punishment inflicted on the offender. On the latter point it would appear that with such an important object in view, *no hesitation should be shown in adopting the severest measures.* The professional poisoner should be looked upon as a wild beast, whom it would be dangerous again to let loose on society after a short term of imprisonment. His punishment should be so complete as to deter others from following in his footsteps, while it would put it out of *his* power again to resume his fiendish trade, and sacrifice new victims to his lust for plunder.

37. It would immeasurably strengthen our hands if the Government saw fit to extend the provisions of Act XXIX of 1850 to the whole of this presidency, instead of merely to the presidency towns. I note that Mr. Mayne, in paragraph 307 of his annual report for last year, advocates this view, which is also urged by Colonel Hervey.*

* *Vide* para. 56 of Colonel Hervey's letter to the Secretary to the Government of India, No. 566, dated 17th July 1861.

38. It is, however, *to the inability of a local Police to cope with professional poisoning* that we must attribute the main source of evil.

39. We cannot now avoid dealing with many cases as isolated offences ; we have not the means of discovering their connection one with the other ; *we feel that they are merely parts of a network of crime, but we cannot trace the links.* On the arrest of a criminal, every effort is made to obtain from him information which may be valuable for the past and be useful for the future ; *but the man has no inducement to speak, no hope of pardon or of suspension of sentence is held out to him.* Nor is it in one or two examinations that the story of a life can be told. Several officers have been engaged for months in constant and patient investigation in order to trace the history and affiliations of one party alone—that of the Kaieth and Brahmin of Boolundshuhur. *We now know too little of all this organisation.* Special reports are sent in detailing the crime and describing the criminal, as far as the complainant remembers, *but such descriptions are necessarily so imperfect and inexact as to be comparatively useless.* The complainant has met his future poisoner, and accompanied him some short distance ; but

no peculiar interest attaches *then* to his companion, who is in his eyes *merely a traveller journeying on the same road as himself.* * * * *

* * * * * *

41. The more efforts we make to connect poisoning cases one with the other, and to work the crime simultaneously all over these Provinces, *the more we must be convinced that we have ridiculously few and insufficient data to go upon, and that we know but little abont this intricate organisation.*

42. All that I have said above about poisoning applies with nearly equal force to the other classes of crime which were dealt with by the Thuggee Department. Since the abolition of this Department, *we have lost the mass of valuable information which was gleaned from the statements of approvers from all parts of India.* It is imperative that something should be done to supply this loss; and by utilising the material we have at our disposal, we can do so without involving Government in any additional expense. * * * *

Extract, paragraph 359, from the Police Administration Report, North-Western Provinces, for 1868.

359. There have been 35 cases of professional poisoning against 37 in 1867 and 44 in 1866. Not that I for a moment believe that this crime is at all diminishing. On the contrary, it is clearly not only increasing, *but spreading over the whole of India,* and I consider that *no subject more seriously calls for the immediate attention of the British Government.* As I have repeatedly pointed out, I have no hesitation in asserting the present law does *not* suffice for the suppression of this crime. Every person convicted of being a professional poisoner should, if he is not hanged, *be imprisoned for life in transportation.* There can be no pity, no sympathy, for offenders who will deliberately go about and, without the slightest remorse, risk the lives of their fellow-creatures by mixing poison with their food for no other object than that of robbing their victims of a few rupees. To give 5 or 7 years' imprisonment in such cases is simply, at the expiration of the term of imprisonment, *to set loose the offender to begin again his old trade with renewed vigour and matured experience.* We have an instance of this in the old woman rearrested last year on the Jounpoor road in the Allahabad District. A professional poisoner, like a *thug,* never reforms. He will be a poisoner to the end of his life, and he should be simply removed from the face of the earth. I have, however, so often expatiated on this subject, that it is needless to say more now.

From Colonel Charles Hervey, General Superintendent of Operations for the Suppression of Thuggee and Dacoitee, to C. U. Aitchison, Esq., C.S.I., Secretary to the Government of India, Foreign Department, with G. G. No. 745, dated Simla, 24th October 1871.

No. 794, dated 15th September 1863, paragraph 24.

In my despatch as per margin I had occasion, in reference to the crime of thuggee by means of poison, to report the proceedings of this Department against a gang of poisoners whose general practice was to

select *cart-drivers* for their victims, whose carts and bullocks they sold, "after which they would proceed in some other direction, and there hiring some other conveyance, would serve the owner of it in the same way." Their criminal acts extended in this manner, I said, in a single season, "from Hurdwar to Allahabad and from Bundelcund to Oudh. No sooner did they disappear from one place, than in a comparatively short time they reappeared in some other remote quarter, cleverly baffling every attempt at detection."

2. I have similarly noticed other cases in subsequent reports, whenever I have perceived the same artifice to have been adopted by poisoners, and I would now solicit attention to another case of the same nature of occurrence, either in the Etah or the Mynpoorie District (for the jurisdiction in which the crime was committed would seem to be disputed between the Police authorities of those two districts), a perusal of the report of which, as submitted by the Superintendent of Police for the latter district, would show that the plan of poisoning cart-drivers in the same way is still followed, *and with impunity*.

3. The present being but a passing instance of a great many in different parts of the country, of the continued prevalence of the crime of thuggee by means of poison by whatever device effected, my attention having, moreover, been recently directed by the Government of Bombay to the appearance of a gang of professional poisoners in the Mahee Kanta, I would take the opportunity to submit that I have not yet been favoured with any reply to my reference on the subject of the crime, and of the means to be adopted for its more effectual suppression, which I had the honor to address to you in my letter No. 61A., dated 17th January last.

Enclosures.

1.—The Vernacular Proceedings of the General Superintendent, to the address of the Magistrate of Mynpoorie, dated 21st September 1871 (translated).

2.—The District Superintendent of Police of Mynpoorie, to the General Superintendent, No. 863, dated 18th October 1871.

3.—The District Superintendent of Police, Mynpoorie, to the Personal Assistant to the Inspector-General of Police, North-Western Provinces, No. 709, dated 3rd September 1871.

Translated copy of the Vernacular Proceedings of COLONEL HERVEY, General Superintendent, addressed to the Magistrate of Mynpoorie, under date 21st September 1871.

The *Police Gazette*, North-Western Provinces, of the 16th instant, containing a personal description of two persons stated to have administered some deleterious drug to one Moorlee, a Bhurrai, at Phupoto, Thannah Sookhet, Zillah Etah, on the 23rd July last, the General Superintendent requests the Magistrate of Mynpoorie to be so good as to communicate to him the details of this case, and whether the victim, Moorlee, survived or died, where he was journeying from, to what place he was going, in what manner or in what thing the drug was administered to him, whether he was robbed of anything, and any other attendant circumstances.

From DARCY MCARTHY, Esq., District Superintendent of Police, Mynpoorie, to COLONEL CHARLES HERVEY, General Superintendent,—No. 863, dated 18th October 1871.

Poisoning of Moorlee, Bhurrai, in Etah District.

With reference to his roobokaree dated 21st September 1871, to the address of the Magistrate of this district, begs to forward for his information the enclosed copy of this office report No. 709, dated 3rd September 1871, to the Personal Assistant to the Inspector-General of Police, North-Western Provinces, on the above.

From DARCY MCARTHY, Esq., District Superintendent of Police, to the Personal Assistant to the Inspector-General of Police, North-Western Provinces,—No. 709, dated Mynpoorie, 3rd September 1871.

On Sunday, the 23rd of July, two men hired a cart from Moorlee, Bhurrai, of Mouza Ibrahimpoor, three coss west of Etah, to convey them to Agra, of which city, they said, they were residents. In passing through Etah, one of these men went to purchase some sweetmeats and vegetables. On arriving at a well (Mouza Phupoto), 1½ coss from Etah, the cart was halted, the men bathed and ate, and some *poorees* were given to the cart-owner and driver, Moorlee, by the above men. Shortly after they proceeded on their way towards Shekoabad, but before they had left their halting-place half a coss behind, Moorlee's head began to swing, and from that time he recollected nothing until Tuesday evening, when he partially recovered his senses. He found himself then naked in a mangoe tope at the village of Maraee. This village lies on the Mynpoorie and Shekoabad road, about 5 miles east of this latter town. Thence he made his way to Mouza Seroulee, where he had an acquaintance (Rundheer Dhobee), who treated him kindly and gave him some clothes. He rested there a day, then on the 27th he went to another acquaintance at Nugla Sawunthee, and thence on the same day to Jusrana, 1½ coss.

2. He went to the Police station at Jusrana in this district, and outside saw a Police officer sitting down (a Mussulman), to whom he told his story and the theft of his cart and bullocks, &c., valued at Rs. 120-3. This officer told him that he could do nothing in the case, as it occurred in the Etah District, where he should make his report.

3. He then went on his way and next day reached home. On the day following, accompanied by the chowkeedar of his village, he went to report at station Etah. He met the Thannadar on his way, and was told to report at his proper thanna, "Sookhet." Next day was Sunday, the day following a holiday, and Tuesday being an unlucky day for Hindoos to commence anything of importance, he gave in a petition to the Deputy Magistrate of Etah on Wednesday, the 2nd of August, and his deposition was taken on the day following.

4. The above account is taken from his petition, with the exception of his movements from the time he became senseless up to his arrival at station Jusrana, which the subsequent enquiry elicited. The Deputy Magistrate forwarded a copy of this deposition to surrounding districts, one of which was received here.

5. On receipt of this document, a copy of which is annexed, orders were immediately issued to all the Police officers of the district, and

special orders were issued to those officers in the neighbourhood, and a visiting inspector was subsequently deputed, but up to the present time, though several men are still out, I am sorry to say no trace of the poisoners has been found.

6. A visiting inspector of the Etah District was directed to take up the investigation, whose ingenuity seems to have been chiefly directed to endeavouring to show that the crime was committed in the Mynpoorie, not in the Etah, District, and to holding the Police scatheless at Jusrana and Etah for not taking notice of the reports made by Moorlee by a series of manipulations of Moorlee's statements at different times and places; but he seems chiefly to rely for proof that the crime was committed in this district on his own assertions that the poison was contained in the *hooka* which Moorlee smoked, not in the *poorees* he ate, because he smoked a hooka before he became senseless; but Moorlee himself states that he smoked his own tobacco, which had never been out of his possession, consequently the hooka-smoking could have nothing to do with the drugging.

7. The well where the man was drugged is 3½ miles from the extreme borders of this district, notwithstanding which I understand from the Magistrate that the Etah authorities have taken the inspector's view as to the locality of the crime. I therefore request instructions as to whether the crime is to be reported as having occurred in this or in the Etah District.

8. Notwithstanding the Etah inspector's report, there can be little doubt but that Moorlee reported this crime both at stations Jusrana and Etah, though no notice was taken of this report at either station. The man Moorlee is now here, and states distinctly that he did recognise the officer to whom he made the report at station Jusrana in presence of the visiting inspector of Etah; and though this officer states that he could not do so, Moorlee describes the man accurately. That Moorlee did enquire for and go to the Jusrana station, is proved by the statements of the chowkeedar of Jusrana, from whom he enquired his way to the station house, and Moorlee was afterwards seen at a blacksmith's shop in Jusrana, where he asked for a smoke from a hooka, but was refused.

9. I will myself proceed to Jusrana either to-morrow or next day and enquire into this latter point. I have not been able to do so before owing to my having to enquire into a case of gross abuse of authority committed by Head Constable Moozum Ali, while I was absent from the district, in the course of his investigation in a case of murder. The two men implicated in this latter case were committed to the sessions yesterday.

Note.—A descriptive roll of the two poisoners is given in the *Police Gazette* of the 13th of September 1871.

Three days since the undersigned heard from native report that a man answering the description given of the younger of the two men had been apprehended for drugging in Meerut; if this report should turn out correct, the fact will be communicated to the General Superintendent.

The description given of the elder of the poisoners answers pretty well to that given of one of the men who committed a similar crime in Muttra--see *Police Gazette* of the 17th of June 1871.

It is probable that this man is the organiser of these crimes, and that he changes his accomplices to evade detection, such being a recognised precaution in organised poisoning cases.

No trace of the poisoners was of course to be found in Agra, to which place the Etah Inspector made a journey.

Endorsed by Home Department.—No. 113, dated 9th February 1872.

Forwarded to the Legislative Department for disposal.

From Colonel C. Hervey, General Superintendent of Operations for the Suppression of Thuggee and Dacoitee, to the Officiating Secretary to the Government of India, Home Department,—No. 1201, dated Simla, the 29th October 1872.

I beg you to be so good as to submit the accompanying papers as per margin to the notice of the Government of India, relating to certain instances of the crime of thuggee by means of poison in the Punjab.

1. From the General Superintendent, to the Inspector-General of Police, Punjab, No. 921, dated 5th September 1872.
2. Its enclosure, being translation of a *ky-feeut* from the Office of the General Superintendent, dated 28th August 1872.
3. From the Inspector-General of Police, Punjab, to the General Superintendent, No. 2993, dated 25th October 1872.
4. Its enclosure, being a copy of a letter from the Deputy Inspector-General of Police, Umballa Circle, to the Inspector-General of Police, Punjab, No. 1946, dated 25th October 1872.
5. Translation of a list, dated 28th September 1872, of 17 cases of poisoning in the Punjab, received under the enclosure from the Deputy Inspector-General of Police, Umballa Circle, No. 1946, dated 25th October 1872.

2. They show that, of the cases which have occurred in that Province between October 1867 and November 1871, as many as 17 are regarded to have been the deed (inasmuch as had yet been ascertained) of a single gang under the leadership of a person named *Shurruf-ood-deen*, of the Kussab or butcher caste, resident of Kantha, in the District of Hooshiarpore, in the Punjab; and that of 37 persons to whom poison was administered, 14 *had died from the effects of it*; and, further, that in two of the cases (Nos. 3 and 5) some other persons were convicted, of whom one man, sentenced to ten years' imprisonment in the former case, was released by order of the Judges of the Chief Court, but that the sentence of transportation for life in the other case was, it would seem, *carried out*.

3. I would here narrate some account of the man Shurruf-ood-deen as given of him to the local Police by a woman who had lived with him, named *Zoohoorun*, and through whom some of the property plundered on some of those occasions was discovered. She described herself to be the daughter of a person of the Rajpoot caste, who resided at Bheetkus of Monghyr, in Behar, and that, while yet quite young, she was married to a person of her own caste, named *Lalljee Baboo*, residing at Bhaugulpore.

They together went to Lucknow and resided there for ten or twelve years; her husband was employed as a sepoy. On the suppression of the rebellion of 1857 they both went to Bans Bareilly, in Rohilkhund, where the man continued to serve as a sepoy for a further period of three or four years. He then gave up that employment, and, becoming implicated in some case of theft, he was sent to prison for a year. The man and his wife had in the meanwhile become Mahomedans, and the woman thereupon took her present name of *Zoohoorun*, and her husband that of *Baboo Khan*. The man Shurruf-ood-deen happened to be also a prisoner in the same jail, and a friendship sprung up between him and her husband. On their liberation from prison, Shurruf-ood-deen was adopted by her husband as a son, and they all lived together. What the two men then did together was declared by the woman to be unknown to her; but her husband again got imprisoned about five years ago at Meerut, whereupon the woman went and resided at Allyghur, and, on the persuasion of Shurruf-ood-deen, she went with him a year subsequently to Agra for two or three months. They then together came to Umballa and resided there for three months at the shop of a native butcher. The two then went to Jullundhur, where they stayed for three or four months more,—that is, for two months they lived at the *serai*, or public inn, and for a month at the place of one *Sheikh Syfoollah*. Two young grown-up daughters were with her. After this Shurruf-ood-deen took them all to his own house at Kantha, in Hooshiarpore, and cohabited with them. The woman Zoohoorun subsequently fell out with him, and thereupon she went and gave information to the Police of his being in the habit of "killing people by giving them *dhatoora* and other drugs, and appropriating whatever was upon their persons," and that on one such occasion when the two (she and Shurruf-ood-deen) had come to Jullundhur, he went up to Lahore, by whom accompanied she did not know, and returned eight days subsequently with a sum of Rs. 230, and told his nephew *Peeroo* (or *Neeroo*) that he had obtained that money by drugging a traveller somewhere between Umritsur and Lahore. She had also learnt from Peeroo that Shurruf-ood-deen had, on two previous occasions, poisoned some one near Meerut, and again about 15 days since only "another man at a place eight *kos* beyond Delhi." The victim on the last occasion was a *Jât*, and the things obtained from him were 16 yards of the stuff from which *lhengas* are made (an article of apparel worn by Hindoo women), seven yards of "markean," and a skull cap. The Jât had died. The persons who were in the habit of accompanying Shurruf-ood-deen on these expeditions were *Kirpa* and *Fucqueera*, both "Dheemurs," or persons of the fisherman class, and his nephew *Peeroo* aforesaid. Some *dhatoora seed powder*, found in her bundle, she had got from *Rewkee* (the mother of Shurruf-ood-deen), to whom he had entrusted it, and, on her going away with him on some marriage ceremony, she (Rewkee) had handed it over to her eldest son, and the woman Zoohoorun had taken it from him without being observed by him, and had delivered it over to *Hakim Khan*, the elder brother of the lumberdar; but one *Kurreem Bux* had that very day taken some of it away from her.

4. A reward of Rs. 500 has been proclaimed in the *Punjab Police Gazette* for the arrest of the man Shurruf-ood-deen.

5. I would further submit to notice that the following cases of the same crime have recently taken place *in Guzerat, in the Bombay Presidency,* also the deed apparently of a single gang, namely,—

(1) *13th February 1872.*—At Dhakore, in the District of Kaira, 19 persons of the shepherd class poisoned *with dhatoora,* administered in a native sweetmeat called *luddoo,* declared to have formed a part of a *prussadh,* or offering, to "Runchorjee," whose shrine at Dhakore is greatly resorted to by the people of Guzerat: six *of the shepherds—four lads and two girls—died from the effects of the drug.* The amount of property robbed was not stated.

(2) *29th April 1872.*—At Neriad, in the District of Kaira, three travellers of the "Cheepee" class (or dealers in printed chintz) drugged *with dhatoora,* administered in the *hooka,* and robbed of Rs. 137, *of whom two died.* The other who survived was discovered "naked, holding on to a bush and quite mad," and one of the two deceased men "had died in agony, had torn himself to pieces, nails blue, eyes congested violently." The other was discovered to have been buried the previous day at a village three *kos* off, through which the travellers had come, on a report to the Police patel *that he had died of fever.*

(3) *9th August 1872.*—At Oometha, in the Kaira District, a Sikh horse-dealer from Lahore, named *Ram Singh,* poisoned. "The offenders said they had a horse for sale at their village of Podra, in Guikwar territory, where they induced him to go, and robbed him of Rs. 763-8." The man recovered.

6. In the *second* of the above cases, *viz.,* at *Neriad,* two persons were arrested by the local Police; and as they seemed to be professional poisoners, I requested the Magistrate of Kaira to employ professional counsel on the prosecution. This resulted in their conviction and sentence to death, with the confirmation of the Judges of the High Court. To enable this Department to carry on the research respecting their accomplices, the execution of the two condemned persons has been temporarily suspended at my request, and the Government of Bombay has assented to the measure.

7. The information as yet imparted by them is of a reserved nature, but action was taken from what fell from one of them, which has resulted in the arrest of four other persons who have been discovered to have been concerned in the *third* or subsequent case of the horse-dealer at *Oometha,* and in opening up certain other instances of the crime in the city of Baroda, at Veerungam, at Randere, near Surat, and other places in Guzerat.

8. Government is aware* that other similar cases have lately appeared in the Tanna District of the Bombay Presidency. In one of these cases a "man was killed by falling over a steep cliff near Campoli while under the influence of an intoxicating drug which had been administered to him by a stranger who

* *Vide* endorsement in the Home Department, No. 493, dated 27th August 1872, on entry No. 31 of the Proceedings of the Government of Bombay in the Judicial Department, for the month of June 1872.

had robbed him of Rs. 10 and left him." The Campoli road from Poonah to Bombay is *old ground* to these criminals, and some very distressing cases of the crime occurred upon it when I was the Assistant of this Department for Bombay Territory.

9. Other cases have also recently taken place in the North-Western Provinces, Central Provinces, Oudh, and I believe the crime continues to be committed everywhere.

10. I am engaged in preparing a report of the crime in the nine Governments and Administrations forming British territory, from the period of my last general report up to the present time, from which it will be perceived that this crime of thuggee by means of poison continues to be practised throughout British territory without, as yet, any material check; and on this subject I would here take the opportunity of soliciting the attention of Government to my more recent report in the Foreign Department, No. 61 A, dated Jalnah, 11th February 1871, and to the reply I was honored with, No. 14J, dated 24th January 1872, referring to the declared legal difficulty on the question of the *Approver System* as applicable to the suppression of the dreadful evil.

11. I shall in the proper place commend to notice the intelligent action taken by the Magistrate of Kaira, *Mr. Sheppard*, in the research into the cases of occurrence in Guzerat, and on the part of his Superintendent of Police, *Captain LaTouche*. My Assistant at Baroda, Captain Hancock, is also engaged in the enquiry.

From COLONEL C. HERVEY, General Superintendent of Operations for the Suppression of Thuggee and Dacoitee, to Inspector-General of Police, Punjab,—No. 921, dated Simla, the 5th September 1872.

I beg your very early attention to the request contained in the accompanying *kyfeeut*, and to express a hope that you will cause me to be furnished with full particulars of each case of poisoning adverted to therein.

Translation of a "kyfeeut" from the Office of the General Superintendent, dated 28th August 1872.

The *Police Gazette* published at Lahore on the 21st instant contains at pages 380 and 381 a proclamation on the part of the Umballa Police for the arrest of one *Shurruf-ood-deen, son of Sowdagur, a butcher*, on the charge that he had ten years previously been associated with certain poisoners of the *poorub*, or east country. It was stated that he parted from them about six years ago, and returned to his own village in the Punjab, and had then commenced to drug people in the districts of the Punjab, joined by 15 to 20 accomplices, residents of Kantha, of Dussooah (Hooshiarpore), of Kurtarpore (Hooshiarpore), and of Phugwal, in Kuppoortullah; that several such cases of crime had been committed by them during the past year in the Loodiana, Umballa, and Kurnaul Districts; and, further, that some other cases in the Umritsur, Goojranwalla, Jhelum, and other districts should seem from the description of one of the culprits answering to the personal appearance of the said Shurruf-ood-deen to have been committed by him, but that this person was a fugitive, and warrants had been issued for his

arrest, and he was further declared to be accompanied by two young *poorbya* females.

But no mention is made in the *Police Gazette* of each particular case, and it is desirable, therefore, to ask for information on the following points, *viz.* :—

(1) At what particular places the man Shurruf-ood-deen committed each crime, with the zillahs and the dates.
(2) How many persons were drugged in each case, and how many of them died.
(3) The amount plundered on each occasion.
(4) How or in what thing the drug or noxious thing was administered.
(5) The names of the persons drugged, from what place they were travelling and to where, or whether they were poisoned at their own places.
(6) The Police action in each case.

All these points of information might be drawn up according to the annexed form and lists. A list of the names of the supposed culprits should also be supplied.

Memorandum by Colonel G. Hutchinson, Inspector-General of Police, to the General Superintendent of Operations for the Suppression of Thuggee and Dacoitee,—No. 2993, dated the 25th October 1872.

With reference to his No. 921 of the 5th ultimo, and accompanying *kyfeent* regarding Shurruf-ood-deen and his gang of poisoners, forwards copy of a letter No. 1946 of the 9th instant, and its enclosures in original, on this subject from the Deputy Inspector-General, Umballa Circle, to the address of the Inspector-General of Police.

Memorandum from Major A. H. Bamfield, Deputy Inspector-General, Umballa Circle, to the Inspector-General of Police, Punjab,—No. 1946, dated the 25th October 1872.

Returns the *kyfeent* received under cover of his No. 2659, dated 13th ultimo, regarding Shurruf-ood-deen, with full particulars furnished in each case of poisoning as required by Colonel Hervey.

2. The vernacular paper asks for a list of all the cases in which Shurruf-ood-deen is supposed to have been concerned, showing the dates on which and the places where the offences were committed.

3. On completion of the enquiries and prosecution, a report will be prepared and submitted, as directed by the Inspector-General in his docket under reply.

Translated list of the authenticated cases of poisoning of occurrence in the Punjab, the perpetrators of which would seem from the personal description to have been committed under the leadership of Shurruf-ood-deen and the members of his gang,—dated 28th September 1872.

Case No. 1.—At Ulwur, in Konah, of Loodiana, on the 10th October 1867, four persons drugged with *dhatoora ;* deceased none; robbed Rs. 47

by two persons,—one a *Poorbya* and the other a *Punjabee*,—at large. These two persons joined their victims disguised as travellers. At their second halting-place they had some liquor, and the four travellers partook of some meat and bread, and drank at their hands, and then became insensible. The description of one of the culprits agrees with that of Shurruf-ood-deen. The victims were *Hurdyal, Daveedeen, &c., Poorbyas* by caste, travelling from Lahore.

Case No. 2.—At Choodyala (or Chundyala), of Umritsur, on the 11th January 1868, one person drugged with *dhatoora*, who recovered; robbed Rs. 40 by two persons,—one a *Poorbya* and the other a *Punjabee*. The same account as the last. The name of the drugged person was *Dooneechund Koree*, of Raipore, in Furruckabad, and he was travelling from Dehra Ismael Khan.

Case No. 3.—At Umritsur, on the 21st January 1868, four persons drugged with *dhatoora*, of whom *one died;* robbed Rs. 175-3-3 by two persons,—a *Poorbya* and a *Punjabee*,—at large. The same account as in the last case. In this case it would seem that a person named *Kaseeram* was tried for it and *sentenced by the sessions to ten years' imprisonment*, but *that he was released by the Chief Court*. The names of two of the victims were *Sahibdeen* and *Bhujjoo*, and all were *Poorbyas* travelling from Rawul Pindee.

Case No. 4.—At Attaree, of Umritsur, on the 4th May 1868, one person drugged with *dhatoora*, who recovered; robbed Rs. 80-3 by the same two persons at large. The same account as the last. The name of the drugged person was *Poorun*, a Cullasee of Meerut, who was travelling from Meean Meer.

Case No. 5.—At Mullian, in Umritsur, on the 5th June 1868, five persons drugged with *dhatoora, who all died;* property robbed unknown, the culprits being the same two persons,—a *Poorbya* and a *Punjabee*,—at large. The five deceased persons were travelling from Lahore, and they were joined by the two culprits disguised as travellers, who administered *dhatoora* to them, from which they died. The description of one accords with that of Shurruf-ood-deen, *but it proved that a Kahar, named Ram Bux, had already been sentenced in this case to transportation for life*. The names of two of the deceased were *Bhuwani* and *Goolzar*, and all were *Poorbyas* travelling from Lahore.

Case No. 6.—At Choodyala, in Umritsur, on the 3rd May 1870, three persons drugged with *dhatoora, who died;* property robbed unknown. The culprits were two persons, who have not yet been arrested. It has not been ascertained who they were, but it would appear that the deceased were accompanied by the same two persons as before. They also purchased liquor, and the account of one agrees with the description of Shurruf-ood-deen. The three deceased persons were *Poorbya travellers*.

Case No. 7.—At Poh, in Sanewal, of Loodiana, on the 4th July 1870, two persons drugged with *dhatoora*, of whom *one died;* robbed Rs. 8 by two persons unknown and at large. The description of one would seem to correspond with that of Shurruf-ood-deen. The two victims were *Khundoo* and *Daveedeen*, both Chumars of the *Poorub*, in the Zillah of Azimabad (? Azimgurh), and they were travelling from the Punjab.

Case No. 8.—At Tanda, in Chundeegurh, of Umballa, on the 12th July 1870, two persons drugged with *dhatoora*, of whom *one died;* robbed

Rs. 9 by two persons at large. The poisoners joined their victims disguised as travellers. At night they gave them liquor and food, from which they became insensible, and one of them was found drowned in some water. The description of one of the poisoners accords with that of Shurruf-ood-deen. The name of one of the drugged persons was *Kana Kolie*, of Meerut, a traveller from Kussowlie.

Case No. 9.—At Kherie, of Lahore, on the 12th October 1870, one person drugged with *dhatoora*, who recovered; robbed Rs. 27-10, by two persons at large, the description of one agreeing with that of Shurruf-ood-deen. He and his accomplice joined the victims disguised as travellers, and administered the drug to them (*vide* the description given at page 176 of the *Police Gazette* for 1870).

Case No. 10.—At Cael, of Chuppur, in Umballa, on the 25th November 1870, three persons drugged with *dhatoora*, who recovered; robbed property Rs. 80-8, by two persons at large. Same account as in the last case. The names of two of the drugged persons were *Prem* and *Goolab*, and all were "Kahars," residents of Moozuffernuggur, travelling from Peshawur.

Case No. 11.—At Kunkar, of Goojranwala, on the 8th March 1871, two persons drugged with *dhatoora*, who recovered; amount robbed not stated, by two persons at large. The same account as in previous cases. The names of the two travellers drugged were *Buldeo* and *Dojee*, both *Poorbyas*.

Case No. 12.—At Kalokee, of Goojranwala, on the 10th June 1871, three persons drugged with *dhatoora*, of whom *two died*; amount robbed not stated, by two persons at large. The same account as before given. The name of one of the drugged travellers was *Seetul*, *Khak-rob*,* resident of Kheirikullan in Furruckabad.

* Or sweeper.—C. H.

Case No. 13.—At Beeja, of Konah, in Loodiana, on the 15th July 1871, one person drugged, who recovered; robbed Rs. 11-13-9, by three persons, of whom two have been arrested. It proves that this case was the deed of Shurruf-ood-deen, joined by two others, named *Facqueeria Dheemur* and *Summa, a butcher*. The two latter have been arrested, and they have admitted the crime. They have also been recognized by the drugged party. This case was also one upon the highway, and the name of the victim was *Lutchmun Koree*, a resident of Meerut, who was travelling from Lahore.

Case No. 14.—At Ruttunghur, of Shahabad, in Umballa, on the 24th July 1871, one person drugged with *dhatoora*, who recovered; robbed Rs. 6-13-6, by two other persons, one of whom has been arrested. It proves that this case was the deed of Shurruf-ood-deen and the man Facqueeria apprehended in the preceding case, and the latter has given a full account of it. This case also occurred in the highway, and the name of the drugged man was *Ooree Syce*, a resident of Muttra and Mirzapore, of Cawnpore, and he was travelling from Lahore.—(*Memorandum.*—Muttra and Mirzapore are districts independent of Cawnpore.)

Case No. 15.—At Boodhana, in Kurnaul, on the 25th July 1871, one person drugged, not stated with what, who recovered; amount robbed not stated, by two other persons, of whom one has been arrested. The same account as in previous cases. The victim's name was *Davee*

Dhobee, a resident of Khanapore, in Sultanpore (Oudh), and he was travelling from the military station of Subathoo.

Case No. 16.—At Deerawala, of Sanewal, in Loodiana, on the 11th August 1871, one person drugged, by what not stated, who recovered; robbed Rs. 42, by two persons, of whom one has been arrested. The same account as before given. The name of the traveller drugged was *Mukdoom Bux*, a resident of Churriari, in the District of Lucknow, and he was on his way down from Lahore.

Case No. 17.—At Zufferwal, of Sealkote, on the 7th November 1871, two persons drugged, with what not stated, of whom *one died;* robbed Rs. 21, by two persons at large. The two criminals joined their victims in the disguise of being themselves travellers, and they gave them some tea ("decoction of tea leaves"), from partaking of which they became insensible, *and one died*. The description of one of the culprits calling himself "Manoo, Hindoostani," agrees with that of the man Shurruf-ood-deen as entered at page 490 of the *Police Gazette* for 1871. The name of one of the drugged parties was *Puchkorie*, a *Poorbya lad*, now residing in the Cantonment of Sealkote, and he and his deceased companion were travelling from Dalhousie to Sealkote.

Total of cases 17; persons drugged 37; persons died 14.

Memorandum by COLONEL C. HERVEY, General Superintendent of Operations for the Suppression of Thuggee and Dacoitee,—dated Simla, the 29th October 1872.

From the statements of the two arrested parties, *viz.*,—

(1) Facqueeria, son of Gahia, by caste a "Dheemur," age 18, resident of Kantha, in Dussoowa, of Hooshiarpoor; and

(2) Summa, son of Punnoo, by a caste a "Kussab," or butcher, age 20, resident of Kurtarpore, of Jullundhur.

It would appear that 14 other persons are also the accomplices of the man Shurruf-ood-deen, who were in the habit of going with him on his expeditions, assuming to be his servants, but who shared in the plunder obtained; but their arrest is delayed until the evidence should be more perfect, and further information regarding them will hereafter be conveyed.

Shurruf-ood-deen is still at large, but steps have been taken for his arrest, and a reward of Rs. 500 for his arrest has been sanctioned by the Inspector-General of Police, to be given on the man's conviction.

From H. WELLESLEY, Esq., Officiating Under Secretary to the Government of India, Home Department, to the General Superintendent of Operations for the Suppression of Thuggee and Dacoitee,—No. 62, dated Fort William, the 10th January 1873.

I am directed to acknowledge the receipt of your letter No. 1201, dated the 29th October last, bringing to notice the prevalence of thuggee by means of poisoning, and the difficulty on the question of the approver system as applicable to the suppression of this crime.

2. Possibly you have overlooked the provision made in the Code of Criminal Procedure, which removes the difficulty complained of by rendering an accused person liable to be remanded to undergo the unexpired portion of his sentence if he fails to fulfil the conditions on which pardon was offered to him. I am, therefore, desired to invite

your attention to Section 322 of Act X of 1872, and to enquire whether that section will not meet the object you have in view. If it does, I am to enquire what steps you propose to take under it.

From Colonel C. Hervey, General Superintendent of Operations for the Suppression of Thuggee and Dacoitee, to the Secretary to the Government of India, Home Department,—No. 124 A, dated the 7th April 1873.

My absence in Rajpootana obliged me to defer replying to the enquiry from your office whether, with reference to my letter in the Home Department, No. 1201, dated 29th October last, on the subject of the prevalence of the crime of thuggee by means of poison, Section 322 of the new Criminal Procedure Code (Act X of 1872) did not sufficiently meet the question of the approver system as applicable to the suppression of that crime.

No. 62, dated 10th January 1873.

2. I have the honor to submit in reply that that section would seem to meet any objection which may now be made to the *legality* of the approver system such as was advanced by the Magistrate of Monghyr on the occasion referred to in paragraph 4 of my previous letter on the subject.*

* From Colonel Hervey, General Superintendent, to the Secretary to the Government of India, Foreign Department, No. 61A, dated 11th February 1871.

3. But I would state that the alteration provided by Section 322 of the amended Code merely remedies the defect which existed in Section 54 of the former Code, but that it still leaves the subject of the applicability of the approver system to the suppression of this crime in its former condition.

4. I submitted in my first report to the Government of India on this subject† that the great difficulty in my own apprehension only was the state of the law for the sufficient *punishment* of the miscreants, and for the successful adoption of the approver system for their effectual suppression. It would be plain, I urged, to the understanding of His Lordship in Council that an accomplice whose evidence it was desirable to secure as a Government approver, would not, when under a limited sentence of imprisonment only, and the prospect thus before him of eventual restoration to liberty, give the same unreserved evidence as the man who was sentenced to death or to transportation for life, with no such prospect before him. The experience of this Department was that the evidence of the former was, as a general rule, given with reservation. He had not much to lose or to be afraid of by withholding his evidence or by accusing innocent persons, and he need not therefore much fear the detection he was liable to, however sure the process. But the *life-sentenced* approver had everything to lose and to be afraid of. When detected in giving false or partial evidence, which he generally was sure to be, his conditional pardon was revoked, his sentence, hitherto held in abeyance, was carried out, and he thus reverted to the punishment from which he had escaped only so long as he chose to speak the truth. The existing mofussil law against poisoning did not, I added, procure that sentence of extreme or last punishment, and that except it should do so, these criminals must continue to flourish.

† To the Secretary to the Government of India, Foreign Department, No. 566, dated 17th July 1861, paragraph 56.

5. My proposal was, and always has been, to convert Act XXIX of 1850 for the prevention of poisoning, the operation of which was confined to the Presidency towns only, into a law for all India. That law provides that the sentence passed upon a person convicted of the crime of poisoning may be death or transportation for life; and under its operation we should be enabled to obtain approvers who would always remain in custody, and from whom more reliable evidence might be expected than ordinarily to be elicited from persons who should not be so sentenced. The higher punishment would also have its due effect upon the people in the habit of committing this crime. Under the existing mofussil law the sentence to be awarded to a person convicted of poisoning is limited to ten years' imprisonment only.* This is not sufficient to deter the many, and it prevents our applying the approver system to the suppression of the crime with any prospect of success. If death has been the result of the poison administered, the distinct law for murder is certainly strong enough for obtaining a sentence of death or of life transportation, but it is necessary in such cases to indict the accused on the charge of that specific instance *per se*, and the evidence necessary for obtaining conviction thereon is in cases of murder by means of poison generally insufficient, except on very special occasions. The alternative with us is to arraign the accused on the *general charge* of his "belonging to the gang" engaged in such practices, and our procedure is to adduce certain well-authenticated instances of the crime as part of the proof of that charge, not to show that the accused was present *in* them, but that "he belonged to the gang" *by* which they were committed.

* *Vide* Section 328 of the Indian Penal Code.

6. The object, then, being to suppress the crime of professional poisoning, it is obvious that limited sentences cannot answer the purpose, for under their operation every convict is set at liberty on the expiration of the period for which he was sentenced, and every approver is also similarly released. It is well known that professional criminals always revert to crime directly they have renewed opportunities for doing so, and released approvers have never formed any exception to this general rule. They will return to the trade equally with the persons against whom they had given evidence. My object is to make all persons convicted of the crime of professional poisoning altogether impotent for future mischief.

7. The wording of Section 322 of the new Code of Criminal Procedure to which my attention was directed, seems, moreover, to show that something more was understood to be the punishment to which an approver should revert on his failing to fulfil the conditions of his pardon, than a short period of imprisonment such as is on the contrary usually awarded to persons convicted of this crime in the districts.

8. The proposal above adverted to has, moreover, been often since advocated by others, and it is a sufficiently reasonable one to claim attention. For it cannot with any reason be asserted that the crime of poisoning should be treated with greater leniency in the districts than it shall be in the Presidency towns! That it is an heinous offence is at once admitted; and the fact that death is the frequent result has been too often exemplified in the reports which I have from time to time submitted to Government, not to claim serious attention.

9. I would therefore earnestly press the subject upon the further consideration of Government. The printed papers submitted with my letter in the Foreign Department, No. 61A, dated 11th February 1871, contain many allusions to the subject of giving a more general territorial scope to Act XXIX of 1850 as advocated by me, and I am able to submit a completer printed file on the subject.

From T. J. Chichele Plowden, Esq., Officiating Under Secretary to the Government of India, Home Department, to the Secretary to the Governments of Madras, Bombay, Bengal, North-Western Provinces, and the Punjab, the Chief Commissioners of Oudh, of the Central Provinces, British Burma, and Coorg, and the Resident at Hyderabad,—No. 219 to 228, dated Simla, the 27th May 1873.

I am directed by His Excellency the Viceroy and Governor General in Council to forward the accompanying copy of a letter* from the General Superintendent of Operations for the Suppression of Thuggee and Dacoitee, and to enquire whether, in † the crime of habitual poisoning with intent to rob, and of associating in gangs for this purpose, is prevalent in ‡

* No. 124A, dated 7th ultimo.

†

Madras	...	the opinion of His Excellency the Governor in Council
Bombay	...	
Bengal	...	the opinion of His Honor the Lieutenant-Governor
N. W. Provinces	...	
Punjab	...	
Oudh	...	your opinion
Central Provinces	...	
British Burma	...	
Coorg	...	
Hyderabad	...	

‡

Madras.	Oudh.
Bombay.	The Central Provinces.
Bengal.	British Burma.
the N. W. Provinces.	Coorg.
Punjab.	Hyderabad.

2. It would also be desirable to know whether the views of Colonel Hervey, that crime of this class should be dealt with on the thuggee system, commend themselves to § or whether, in the event of the punishment which it is now legal to award being considered insufficient, any other alteration of the existing law is preferred.

§

Madras	...	to His Excellency the Governor in Council
Bombay	...	
Bengal	...	to His Honor the Lieutenant-Governor
N. W. Provinces	...	
Punjab	...	
Oudh	...	to you
Central Provinces	...	
British Burma	...	
Coorg	...	
Hyderabad	...	

3. As matters now stand, the portions of the Penal Code which affect this crime are Sections 307, 310, 311, and 328. Sections 310 and 311 define and provide the punishment for thuggee; but, inasmuch as the commission of murder enters into the definition of the latter offence, they have not scope enough to take in cases of partial poisoning. Section 328 deals with the special case of administering poison with intent to commit an offence, but the utmost punishment it awards is imprisonment for ten years and fine. Finally, under Section 307, every case in which hurt is actually caused (*i. e.*, when the victim is subjected to bodily pain, disease, or infirmity, Section 319) the offender may be transported for life.

4. The view that this present state of the law is insufficient to cope with the evil now complained of, has been repeatedly pressed upon the Government of India; and in order that the Government of India may be made fully aware of the extent to which the crime really does prevail, and whether any, and what, additional punishment should be provided for its suppression, it has been considered advisable to obtain as much information on the subject as is available before undertaking any fresh legislation.

From the Honorable W. HUDLESTON, Chief Secretary to the Government of Madras, to the Secretary to the Government of India, Home Department,—No. 1500, dated Ootacamund, the 18th September 1873.

With reference to your Officiating Under Secretary's letter dated the 27th May 1873, No. 219, I am directed to forward, for submission to the Government of India, copy of a letter* from the Acting Inspector-General of Police, and to state that, in the opinion of this Government, no change in the law is necessary in connection with the class of crime of habitual poisoning with intent to rob, and of associating in gangs for the purpose, which is not prevalent in this Presidency.

* No. 2628, dated 15th August 1873.

2. This Government cannot acquiesce in Colonel Hervey's argument that the punishment attached to a crime should be enhanced beyond what the nature of the crime dictates in order to afford greater scope for the "Approver" system.

From LIEUTENANT-COLONEL W. S. DREVER, Acting Inspector-General of Police, Madras, to the Chief Secretary to the Government of Madras,—No. 2628 (Statistical), dated Madras, the 15th August 1873.

In reply to letter No. 219 of 17th May 1873, from the Under Secretary to Government of India to your address, on the subject of habitual poisoning with intent to rob, referred to me for remark, I have the honor to submit the following observations, the delay in forwarding which has been caused by the necessity of awaiting the receipt of the annual criminal statistics for the year 1872.

2. From professional thuggee (Section 311) this Presidency is happily exempt. The returns for last year, it is true, show seven cases reported under Serial No. 48 of the Criminal Statistical Statement; but this arises from the very singular fact that offences under Section 401, Penal Code,—"Belonging to a wandering gang *not* being thugs,"—have been grouped with offences under Section 311, which refers exclusively to thuggee. The seven cases were under Section 401, and committed by Yanadies in the Godavery District, but had no element of thuggee in them.

3. Indeed, the association of criminals "in gangs" for the purpose of robbery by poison is very rarely heard of in this Presidency; when offences under Section 328 do occur, there are seldom more than one or two persons concerned, and these scarcely what can be called professional.

4. Offences under this section having hitherto been grouped with those of "hurt," it is impossible to go into their antecedent details;

but those which have been separately recorded under the new system for the first time for 1872 fully bear out the above general remarks.

5. Of thirty persons said to have been concerned in the eighteen cases reported, twenty were compelled to appear, of whom ten were released without even trial by the Magistrates, the cases being false or grossly exaggerated, or coming under some minor head. Of eight persons tried in three cases by Courts of Session, two were convicted and sentenced to fine and two years' rigorous imprisonment each, six being acquitted. These figures prove that there can be no poisoning here by associated "gangs."

6. The special reports called for from districts further show that only in some instances is robbery the object of the offenders, Rs. 46 in all having been reported lost. Family disputes, quack doctors, and illicit intercourse, each contribute their quota to the general totals. I am of opinion that the existing law is quite sufficient to deal with these offences in this Presidency, nor can I see any reason for recommending enhanced punishment. I should very much doubt if the maximum punishment under Section 328 had ever been awarded.

7. It is not for me to say what may or may not be required elsewhere, nor am I confident that I realize Colonel Hervey's difficulties; but, as far as this Presidency is concerned, there is not the slightest necessity for the approver system being extended to it, were it even practicable to do so.

From J. NUGENT, Esq., Acting Under Secretary to the Government of Bombay, Judicial Department, to the Secretary to the Government of India, Home Department,—No. 1886, dated Bombay Castle, the 31st March 1874.

Adverting to Mr. Officiating Under Secretary Plowden's letter No. 220, dated 27th May 1873, enquiring whether the crime of habitual poisoning with intent to rob, and of associating in gangs for this purpose, is prevalent in the Bombay Presidency, and whether any alteration in the existing law affecting this class of crime is requisite, I am directed to forward to you the papers noted in the margin, and to express the concurrence of His Excellency in Council in the opinion of the majority of the officers who have reported that the crime referred to is not prevalent in this Presidency to such an extent as to call for a change in the law. The provisions of Section 394 of the Penal Code appear to be applicable and sufficient.

Précis of Reports submitted by the District Magistrates and Superintendents of Police in the Bombay Presidency on the prevalence of the crime of habitual poisoning, &c.

Note by the Under Secretary to Government on the same subject.

Précis of Reports submitted by the District Magistrates and Superintendents of Police in the Bombay Presidency on the prevalence of the crime of habitual poisoning, &c.

The Government of India forwarded, with their Home Department letter No. 220 of 27th May last, copy of a letter from the General Superintendent for the Suppression of Thuggee and Dacoitee, and enquired (paragraph 1) whether, in the opinion of His Excellency in

Council, the crime of habitual poisoning with intent to rob, and of associating in gangs for this purpose, is prevalent in this Presidency. They also stated that it would be desirable to know whether the views of Colonel Hervey that crime of this class should be dealt with on the thuggee system, commend themselves to this Government, or whether, in the event of the punishment which it is now legal to award under Sections 307, 310, 311, and 328 of the Penal Code being considered insufficient, any other alteration of the existing law is preferred.

This Department Resolution No. 3379 of 20th June last directed that a copy of the above letter and of its accompaniment should be forwarded to the Police Commissioners, Northern Division, Southern Division, and in Sind, the District Magistrates and the District Superintendents of Police, for early opinion and report, and that a statement showing the number of crimes of the nature referred to in paragraph 1 of the aforesaid letter reported to the Police during the years 1870, 1871, and 1872, should be reported by each Superintendent of Police.

In compliance with these orders the under-mentioned officers have reported as follows:—

Designation of Officer.	Substance of Report.
Magistrate of Ahmedabad . . .	Not a single case in the district during the last five years. Is therefore unable to say that necessity exists for legislation.
Superintendent of Police, Ahmedabad	One case during the last three years. No opinion.
Magistrate of Kaira	Thinks the crime is extensively carried on in Guzerat, and concurs with Colonel Hervey in the opinion that the provisions of the Penal Code are insufficient to cope with the evil. Considers that Act XXIX of 1850, if extended throughout the mofussil, would assist judicial officers in disposing of such cases, and that an extra section should be added, in which distinct provision should be made for punishing persons belonging to gangs of professional poisoners with transportation for life.
Superintendent of Police, Kaira .	Five cases occurred during 1870, 1871, and 1872. Thinks that the crime is prevalent to a very great extent in those districts, and, for reasons given, expresses opinion that, unless some such stringent measures are adopted as suggested by Colonel Hervey, the crime will never be effectually suppressed.
Magistrate and Superintendent of Police, Khandesh.	No cases during the past three years. No opinion.
Magistrate of Surat	Cases rare in the district. Considers the present law sufficient to keep this class of offences in check.
Superintendent of Police, Surat .	No cases in the district during 1870, 1871, and 1872. Thinks it would be highly beneficial to alter the law by introducing a life sentence as a punishment for this crime.
Magistrate of Broach . . .	The crime unknown in the district. Thinks it would be better to enlarge the scope of the Penal Code than to have recourse to special legislation.
Superintendent of Police, Broach .	Has not been able to find a single case from returns submitted by constables. Is of opinion that Act XXIX of 1850 may be extended to all parts of India with advantage.
Magistrate of Tanna . . .	The crime not prevalent, only one case having occurred during the years in question. Thinks there is no necessity for a change in the law as regards his district.

Designation of Officer.	Substance of Report.
Superintendent of Police, Tanna	The crime not prevalent, only one case having occurred during the past three years. No opinion.
Magistrate of Kolaba	The crime unknown in the district. No opinion.
Magistrate of Nasik	Cases not common in the district. Thinks that, though this is the case, there can be little doubt that the crime does prevail to a considerable extent. Considers there is no objection to a special law to deal with the crime, and that the proposal to revise the provisions of Section 1 of Act XXIX of 1850 is deserving of attention. Submits remarks by the 1st Assistant Collector, who, for reasons stated, thinks the best way of attaining the object in view would be to extend to the crime provisions similar to those applied in Sections 310 and 311 of the Indian Penal Code to thuggee, and also to insert a section under Chapter 17 of the same Code, making the crime punishable with ten years' rigorous imprisonment and with fine.
Superintendent of Police, Nasik	No knowledge of such gangs being or having been about the district. No opinion.
Superintendent of Police, Punch Mahals.	No cases of the nature referred to during the past three years.
Magistrate of Ahmednuggur	The crime unknown in the district. Believes that the crime of murder by means of poison is more common than is generally supposed, and is of opinion that the law with regard to the sale of poisonous substances requires revision, and that subject to certain restrictions the possession of any poison in sufficient quantity to cause death should be made a criminal offence.
Superintendent of Police, Ahmednuggur.	The crime quite unknown in that zillah. Thinks that, as far as the district is concerned, no alteration in the law as it now stands seems required.
The Magistrate of Belgaum	No cases during the years 1870, 1871, and 1872 in the district. Considers there is no necessity for making any change in the present state of the law.
Superintendent of Police, Belgaum	No cases during the years 1870, 1871, and 1872, and is, therefore, not in a position to state how far the punishment provided in the existing law is insufficient.
Magistrate of Dharwar	Crime totally unknown in the district, and therefore no legislation is called for.
Superintendent of Police, Dharwar	Six cases of poisoning with intent to rob occurred during the years 1870, 1871, and 1872. None of these was committed by professional poisoners who associated in gangs for this purpose. Thinks as the crime is unknown in that district, new legislation is not required.
Magistrate of Poona	Cases of rare occurrence in the district. Is of opinion that the Penal Code sufficiently provides for such cases so far as his district is concerned.
Superintendent of Police, Poona	Nine cases brought to notice during 1870, 1871, and 1872. The crime not habitual in Poona or its district. Advocates the conversion of Act XXIX of 1850 into a law for all India. (These nine cases appear to be of the same nature as those reported by the Superintendent of Police, Dharwar.)
Magistrate of Sholapur and the Superintendent of Police, Sholapur.	No cases occurred during the years 1870, 1871, and 1872. Are of opinion that no change is required in the law so far as that district is concerned.

Designation of Officer.	Substance of Report.
Magistrate of Kaladgi . . .	The crime not prevalent in the district. In fact no such gangs exist at all in that part of the country. No change in the existing law required so far as his district is concerned. Sees no objection to enhance the punishment laid down in Section 328.
Superintendent of Police, Kaladgi ..	The crime not known in the district. No opinion.
Magistrate of Rutnagiri . . .	But one case has occurred in the district since 1870. Is of opinion that the law as it stands is quite sufficient as far as this Presidency is concerned.
Superintendent of Police, Rutnagiri .	No cases in the district during 1870, 1871, and 1872. Proposes that the present definition of a thug in Section 310 of the Penal Code be altered by adding the words "or with intent to commit murder," before the words "is a thug."
The Magistrate of Satara . .	The crime not at all prevalent in the district. Thinks no alteration in the existing law is required.
The Superintendent of Police, Satara	The crime not prevalent in the district. Fully concurs in all Colonel Hervey says.
Magistrate of Kanara . . .	No cases in the district of late years. Is unable to state any opinion as to whether crimes of this class should be dealt with on the thuggee system.
Superintendent of Police, Kanara .	No cases have occurred during the years 1870, 1871, and 1872. No opinion.
Police Commissioner, Southern Division.	Is of opinion that there is no necessity, in the present circumstances of the district in the Southern Division, for additional legislation on the subject.
Police Commissioner, Northern Division.	No opinion.

Summary of the Northern Division and Southern Division Reports.

The crime of habitual poisoning with intent to rob and of associating in gangs for this purpose appears from these reports to be of rare occurrence throughout the Northern and Southern Divisions of this Presidency.

2. The cases reported as having occurred during the years 1870, 1871, and 1872 are as follows:—

Ahmedabad	1
Kaira	5
Dharwar	6
Poona	9
Tanna	1
Rutnagiri	1

Of these, the only cases in which the crimes appear to have been perpetrated by habitual poisoners are those of Kaira and Rutnagiri. None of the Dharwar cases were committed by professional poisoners, nor, so far as can be gathered from the reports, were those of Ahmedabad, Poona (one excepted), and Tanna.

3. The Magistrate and the Superintendent of Police, Kaira, think the crime prevalent to a very great extent in Guzerat. The Magistrates of Nasik and Ahmednuggur also think the crime to be more common than is generally supposed.

4. The following officers are of opinion that the law as it stands is quite sufficient:—

Police Commissioner, Southern Division.

Magistrates of Ahmedabad, Surat, Tanna, Belgaum, Dharwar, Poona. Sholapur, Kaladgi, Rutnagiri, and Satara.

Superintendents of Police, Ahmednuggur, Dharwar, and Sholapur.

5. The other opinions submitted may be generally divided into—

(1) those which suppose the provisions of the Penal Code insufficient to cope with the crime and are in favour of extending Act XXIX of 1850; and

(2) those to the effect that it would be better to enlarge the scope of the Penal Code than to have recourse to special legislation.

The adoption of the former course is recommended by the Magistrates of Kaira and Nasik, and the Superintendents of Police, Kaira, Broach, Poona, and Satara: and the adoption of the latter is favoured by the Magistrates of Broach, Ahmednuggur, and Kaladgi; 1st Assistant Collector, Nasik; and the Superintendents of Police, Surat and Rutnagiri.

6. The under-mentioned officers have expressed no opinion on the sufficiency or otherwise of the existing law:—

The Police Commissioner, Northern Division.

Magistrates of Khandesh, Kolaba, and Kanara.

Superintendents of Police, Ahmedabad, Khandesh, Tanna, Nasik, Punch Mahals, Kaladgi, and Kanra.

ABSTRACT.

Number of poisoning cases during 1870, 1871, and 1872 .	23
Number of poisoning cases with which professional poisoners were connected	6
Number of officers who think the present law sufficient .	14
Number of officers who having submitted no opinion may be supposed to consider the existing law sufficient	11
Number of officers who favour the extension of Act XXIX of 1850	6
Number of officers in favour of enlarging the scope of the Penal Code	6

SIND.

The Commissioner in Sind reports that, from information received from the Magistrates and Police Superintendents of the three Sind Collectorates, it would appear that the offence of professional poisoning is unknown in the Province. An isolated case, he states, occurred in the Hyderabad District, the particulars of which have been forwarded to Government direct by the Superintendent of Police. The Commissioner also forwards a report by the Judicial Commissioner in Sind, stating that, though agreeing with the views of Colonel Hervey in many ways, he does not see that he has made out a case for fresh legislation, and this opinion is endorsed by the Commissioner.

The District Magistrate of Shikarpur has submitted a separate report to the effect that the crime is as yet unknown in the district.

The District Superintendent of Police, Hyderabad, reports that the case of poisoning in that district in 1871, referred to by the Commissioner in Sind, was perpetrated by a fakeer, who was sentenced to seven years' transportation, and states that, as regards the district under his charge,

the views of Colonel Hervey do not recommend themselves as urgently called for.

The proceedings in the case of poisoning ordered to be telegraphed for by the Honourable Mr. Gibbs are herewith submitted. In this case, which occurred near Sukkur in 1854, the death of twelve persons resulted from the administration of poison by two men, apparently professionals, one of whom was sentenced to death, and the other discharged for want of proof.

Memorandum by J. NUGENT, Esq., Acting Under Secretary to the Government of Bombay, Judicial Department,—dated the 8th November 1873.

The accompanying carefully prepared précis gives an accurate summary of the views and reports of the officers from whom a statement of facts and opinion was called for in Government Resolution No. 3397 of 20th June 1873.

In their letter No. 220 of 27th May 1873, the Government of India asked the opinion of this Government on two points,—1st, whether the crime of habitual poisoning with intent to rob and of associating in gangs for this purpose was prevalent in this Presidency; and 2nd, whether any alteration in the existing law affecting this class of crime was requisite.

The information now obtained shows that the answer on the first point should be in the negative. It appears that during the three years 1870, 1871, and 1872 the total number of cases in which poison was intentionally and maliciously administered to human beings throughout the entire Presidency, including Sind, was 24. In twelve only, however, of these instances (three in Poona, five in Kaira, and one each in Rutnagiri, Tanna, Ahmedabad, and Hyderabad) was the crime apparently committed by habitual poisoners, with a view to subsequently robbing their victims. This gives an average of four cases per annum—a very small number considering the extent and population of the Presidency. It is noticeable that no cases of this description are reported to have occurred in such districts as Khandesh, Nasik, and Ahmednuggur, in which they might reasonably have been expected to be not unfrequent if the offence was prevalent anywhere in the Presidency. Kaira is the Collectorate in which the largest number of cases occurred, a fact which may be attributed to the comparative wealth of its population as offering inducements to professional poisoners to frequent the roads passing through it, and to its proximity to Native States, which are always the favourite resort of criminals of this class and of habitual robbers and dacoits. The Magistrate and the Superintendent of Police of the Kaira Collectorate consider that poisoning with a view to robbing prevails to a very great extent in Guzerat. This assumption would not, however, appear to be borne out by the circumstances, as only five cases occurred in the Kaira District in the three years in question, but one case in Ahmedabad, and not a single case in the other Guzerat Districts—Broach, Surat, and the Punch Mahals. On the whole, therefore, it may be considered that this peculiar class of crime is not prevalent in this Presidency. At the same time, however, it may be assumed that, in some instances where the crime has actually been committed, it has never been discovered or sus-

pected. The person poisoned has died, and either his body has disappeared entirely, or he was found senseless on the road, or in a dhurmashalla and dying; his death has been attributed to a fit, sun-stroke disease, snake-bite, or other accident. How many such cases may have occurred it is impossible to say, but there is no proof that their number is considerable.

On the second point, the necessity for any modification of the existing law with a view to enhancing the punishment which may be awarded to poisoners by profession, the opinions of the officers consulted vary greatly. A large proportion hold that the law, as it at present stands, meets all requirements, though it would seem that some at least of them do so, because either they have had no experience of the crime, or because of its non-existence or rarity in the districts in which they are serving. Others agree with Colonel Hervey in thinking that the law as it now is does not provide a sufficient punishment for offenders of this class. Colonel Hervey states that the highest punishment which can be awarded is that under Section 328, *viz.*, ten years' imprisonment and fine (assuming, of course, that death is not the result of the poisoning, when the poisoner could be tried for murder). It is to be noticed that, as observed by the Government of India, Section 307 might be applicable. The crime might also, as stated by Mr. F. Melvill, be tried under Section 394 ("causing hurt in committing or attempting to commit robbery"), for which the punishment may be transportation for life, or, if a second offence, under Section 75 and Section 379 or 392, when also transportation for life might be awarded. The Under-Secretary, therefore, doubts whether any alteration of the law is required, and, if any is to be made, thinks it would be sufficient to add to Section 328 some such words as these—"and if the offence intended to be committed, or of which the commission is intended to be facilitated, is theft, shall be punished with imprisonment of either description for a term which may extend to fourteen years, or with transportation for life, and shall also be liable to fine." This would be clear and unmistakeable, and would so far meet Colonel Hervey's wishes.

As far as the Bombay Presidency is concerned, it would not appear necessary, judging from the comparative paucity of offences of this nature, and the absence, as far as is known, of any organised gangs of professional poisoners, to deal with criminals of this class on the thuggee system.

From A. Mackenzie, Esq., Officiating Secretary to the Government of Bengal, Judicial Department, to the Secretary to the Government of India, Home Department,—No. 3993, dated the 30th August 1873.

I am now directed to reply to Officiating Under Secretary Mr. Plowden's letter No. 221, dated the 27th May last, with its enclosure, asking for the Lieutenant-Governor's opinion as to whether the crime of habitual poisoning with intent to rob, and of associating in gangs for this purpose, is prevalent in Bengal; whether the Lieutenant-Governor would recommend that crime of this class should be dealt with on the Thuggee (Approver) system, and whether His Honour would advise any alteration in the existing law for its suppression.

2. Though no positive proofs have been brought to notice of late years that poisoning by gangs is systematically carried on, yet cases have occurred in sufficient numbers to show that the crime of poisoning exists; and it may possibly be that gangs flourish and work without detection in certain parts of the country where these cases generally occur, *viz.*, in Behar and on the pilgrim routes.

3. Assuming that gangs do or may exist, the Lieutenant-Governor is of opinion that the approver system is perhaps the only way of getting at them and breaking them up, if it is thoroughly well worked and supervised; otherwise it is most injurious.

4. I am to observe that the Lieutenant-Governor is very strongly of opinion that the maximum punishment for the offence described in Section 328 of the Penal Code should be raised, as proposed, by adding transportation for life to the penalties already provided in that section, and that the opportunity should be taken to raise the maximum punishment for all attempts at murder under Section 307, whether hurt be actually caused or not. Many attempts are just as criminal as murder, yet the maximum punishment which it is now legal to award is ten years' imprisonment when the assassin who fires the shot or aims the blow misses his intended victim by an inch.

From C. A. Elliott, Esq., Secretary to the Government of the North-Western Provinces, to the Secretary to the Government of India, Home Department,—No. 205, dated Allahabad, the 19th August 1873.

I am directed to acknowledge the receipt of your letter No. 222, dated 27th May last, with enclosure, requesting an expression of His Honour the Lieutenant-Governor's opinion whether the present law is sufficient to cope with the crime of habitual poisoning with intent to rob, or whether the crime should be dealt with on the system which was employed for the suppression of thuggee.

2. In reply I am to say that the Lieutenant-Governor, after consulting the most experienced officers in the North-Western Provinces, is of opinion that the introduction of any special agency or system is unnecessary. Professional poisoning is not known in these Provinces to an extent calling for any special measures; and when practised it is by individuals, and not by gangs, and it is only where a number of persons are associated in crime that the approver system can be worked effectively.

3. As regards the sufficiency of the present law, His Honour considers that the Penal Code, as it stands, is severe enough, for it is scarcely possible that poison could be administered without causing hurt; and if hurt is caused, the crime falls under Section 307 of the Code, and the penalty is transportation for life.

From T. H. Thornton, Esq., D.C.L., Secretary to the Government of the Punjab, to the Secretary to the Government of India, Home Department,—No. 3975, dated Lahore, the 24th October 1873.

In reply to your letter No. 233, dated the 27th May last, enquiring whether the crime of habitual poisoning with intent to rob is prevalent in this Province, I am directed to forward the accompanying copy of a

report from the Inspector-General of Police, showing the number of cases of this class of crime which have occurred in the Punjab during the past thirteen years. It will be seen that such offences cannot be said to be prevalent in this part of India.

2. With regard to the remarks in your concluding paragraphs, I am to state that the view expressed by Colonel Hutchinson in the 7th paragraph of his letter, as to Section 394 of the Indian Penal Code being applicable to cases of robbery by poison, appears to the Lieutenant-Governor correct. In such case, so far at least as this Province is concerned, His Honour considers that the present means of coping with the crime in question are quite sufficient, and that no fresh legislation on the subject is needed.

From Lieutenant-Colonel G. Hutchinson, C.S.I., Inspector-General of Police, Punjab, to the Secretary to the Government of the Punjab,—No. 213—2602, dated Lahore, the 29th September 1873.

With reference to your letter No. 2338 of 14th June last, asking for my opinion as to whether the crime of habitual poisoning with intent to rob, and of associating in gangs for this purpose, is prevalent in the Punjab, I have the honour to express my regret at the letter having been mislaid for some time, and therefore this delay in replying.

2. I have not apparently received Colonel Hervey's letter, but I have the letter by the Government of India, No. 223 of 27th May, and with reference to it I submit the following remarks :—

3. The Government of India takes up two distinct subjects—

I.—Thuggee as defined in Section 310, Indian Penal Code.

II.—Administering stupefying drugs with intent to cause hurt and to facilitate the commission of an offence.

4. As regards "*thuggee*," defined by the Penal Code thus—

"*Section 310.*—Whoever at any time after the passing of this Act shall have been *habitually associated with any other or others* for the purposes of committing robbery or child-stealing by *means of* or *accompanied with murder, is a thug.*"

—the records of this Province since 1861 show that there has been no regular case which complied with the two great conditions constituting a thug—

I.—*Habitually associated with any* other or others.

II.—By means of or accompanied with murder.

The section evidently contemplates a class of men like the old thug, who always attempted to kill his victim before he plundered him, with whom murder was, if he could effect it, his first step invariably.

5. As regards the offence of habitual poisoning with intent to rob, you will observe by my Circular No. 33 of 1873 that this Department has erroneously been exhibiting all such cases under Section 328, and neglecting the far greater power of the law under Sections 394 and 397. Also you will perceive from the wording of Section 328 that it may include many cases of poisoning where there was no intent to rob, and therefore that it cannot be taken as showing *only* cases where *plunder* was the object.

6. However, in this Province, as hitherto, the error has been made of being contented with prosecution under Section 328 when robbery

followed, instead of under Section 394. I can only show all cases under Section 328, and not only those in which the poison was administered to commit an offence—

In 1860	41 cases.	In 1867	43 cases.
,, 1861	50 ,,	,, 1868	49 ,,
,, 1862	56 ,,	,, 1869	48 ,,
,, 1863	34 ,,	,, 1870	77 ,,
,, 1864	33 ,,	,, 1871	69 ,,
,, 1865	46 ,,	,, 1872	48 ,,
,, 1866	44 ,,		

These figures do not show the offence is increasing.

7. I do not understand the omission in paragraph 3 of the letter by Government of India of Section 394 as applicable to robbery by poison.

When poison is administered for the object of plundering, surely it may be assumed that the giving the poison constituted the offence known as *hurt*, perchance even grievous hurt. Now under Section 394 if hurt is voluntarily caused when committing or attempting to commit robbery, a sentence of transportation for life can be given.

This seems quite to meet the cases of poisoning for plunder.

8. If this is not admitted, a section might be added to the Penal Code declaring the administration of poison with intent to rob, to be hurt within the meaning of Section 394.

9. I do not perceive the necessity as yet for any special machinery to prevent or detect such cases other than what every Local Government possesses, by selecting detective officers for the duty.

From H. J. Sparks, Esq., Officiating Secretary to the Chief Commissioner of Oudh, to the Secretary to the Government of India, Home Department,—No. 3141, dated Lucknow, the 27th June 1873.

Inspector-General of Police, No. 53–2689, dated 19th instant.
Judicial Commissioner, No. 1513, dated 23rd instant.

I am directed to acknowledge the receipt of your letter No. 224, dated 27th ultimo, on the subject of habitual poisoning with intent to rob, and associating in gangs for the purpose, and in reply to submit, for the information of His Excellency the Governor General in Council, copies of the letters noted in the margin, from the Judicial Commissioner and Inspector-General of Police.

2. Both these officers agree that the crime is not prevalent in Oudh.

3. The Inspector-General of Police thinks that it might be as well to try the approver system in any province in which the crime is found to be on the increase, and the Officiating Judicial Commissioner is of opinion that this class of crime should be dealt with on the thuggee system. The Officiating Chief Commissioner also thinks that it should be thus dealt with wherever it is evident that the crime is in full force and the work of professionals.

4. Mr. Currie considers that the punishment allowed by law is insufficient, and he would add a proviso to Section 328 of the Indian Penal Code, making the administering of drugs by an habitual poisoner punishable with transportation for life. The Officiating Chief Commissioner is of opinion that this alteration in the law would be an improvement, though, as far as this Province is concerned, there is no immediate necessity for it.

From LIEUTENANT-COLONEL R. H. M. AITKEN, V.C., Inspector-General of Police, Oudh, to the Officiating Secretary to the Chief Commissioner of Oudh,—No. 53—2689, dated the 19th June 1873.

In reply to your No. 2818 of 7th June 1873, forwarding No. 224 of 22nd May 1873, from Under Secretary to Government of India, Home Department, and enclosure, I beg to report as follows.

I forward a return of all the cases of robbery by poison which have occurred in the Province of Oudh during the years 1870, 1871, 1872, and the first 5½ months of 1873.

2. It will be seen that the crime cannot be said to be prevalent in the Province of Oudh. The Police have during the last 3½ years acted vigorously and successfully in the detection of the crime, and it may be said, as regards the last 2½ years, that prevention has also been successful.

3. In 1870, out of eighteen cases reported, thirteen resulted in conviction. In 1871, out of seven cases reported, four resulted in convictions and one was pending. In 1872, eleven cases were reported (three of these cases were not for robbery), and in eight cases conviction followed. In the first half of 1873, three cases were reported,—one was an unsuccessful attempt, and in the two remaining cases apprehensions were effected by Police, and the prisoners have been committed to sessions.

4. It will therefore be seen that, as far as this Province is concerned, the present state of the law and action of the regular Police has not been insufficient to cope with the crime. My experience of the thuggee and dacoitee approvers, who were for some time attached to this Police, was not favourable. They were returned to Jubbulpore, after some years' trial, as being perfectly useless.

5. But I am of opinion that, should the crime in any province increase to a considerable extent, it would probably be advisable to try the approver system,—that is, to carry out Section 307 of the Penal Code, by sentencing to transportation for life some of the convicted criminals and then making them approvers.

The old approvers of the Thuggee Establishment did not know the criminals of the present day, but this want of knowledge would not attach to criminals now convicted. I think the successful action of the Oudh Police in 1870, 1871, and 1872 broke up any gangs of professional poisoners in this Province, if such existed, but I do not think the crime is generally carried on by gangs.

Memorandum shewing the number of Cases reported in 1870, 1871, 1872, and 1873.

Years.	Number of cases reported.	Apprehended.		Acquitted.		Convicted.		Pending or no clue.		Remarks.
		Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	
1870 ...	18	17	36	4	16	13	20	1	1	
1871 ...	7	5	12	...	3	4	8	3*	...	* Two undetected and one pending.
1872 ...	11†	10	16	2	4	8	12	1	1	† Three of these were not cases of professional poisoning.
1873 ...	3	2‡	2	...	...	...	...	...	...	‡ Both cases committed to Sessions Court.

From C. CURRIE, Esq., Officiating Judicial Commissioner of Oudh, to the Officiating Secretary to the Chief Commissioner of Oudh,—No. 1513, dated Lucknow, the 23rd June 1873.

In reply to your letter No. 2817, dated 7th June 1873, forwarding for an expression of my opinion copy of a letter, No. 224, dated 27th May last, from the Government of India, Home Department, with its enclosure, regarding the crime of habitual poisoning with intent to rob, and of associating in gangs for the purpose, I have the honour to state, for the information of the Chief Commissioner, that, so far as I have been able to gather from the judicial criminal returns, the crimes specified are not prevalent in this Province.

2. I am, however, of opinion that the punishment which it is now legal to award is insufficient to suppress the crime of professional poisoning where it may prevail; and had Act XXIX of 1850 not been repealed by Act VIII of 1868, I should have supported Colonel Hervey's recommendation for its extension. It is, however, one thing to extend a law and another to re-enact with extended scope a repealed law.

3. The addition of a proviso to Section 328, Penal Code, to the following effect would, I think, meet the case: "And if the poison, drug, or other thing as aforesaid, be administered by any one who can be proved to be an habitual poisoner, or to have been habitually associated with any other or others for this purpose, he shall be punished with transportation for life and shall also be liable to fine."

4. In conclusion, I am of opinion that crime of this class should be dealt with on the thuggee system. No accompaniments.

From J. W. NEILL, Esq., Officiating Secretary to the Chief Commissioner of the Central Provinces, to the Secretary to the Government of India, Home Department, No. 2339—112, dated Nagpur, the 19th July 1873.

In reply to your letter No. 225, dated 27th May, forwarding copy of a letter from Colonel Hervey, General Superintendent of Operations for the Suppression of Thuggee and Dacoitee, in which that officer argues that the punishment awardable to persons guilty of the offence of administering poison in order to rob is not so great as it would be expedient to make it, I am directed to answer the enquiries made by you, and to submit the Chief Commissioner's opinion on the subject generally.

2. The accompanying letter from the Inspector-General of Police in these Provinces shows that, in them, the offence of robbery by poison or drugging is not common. Only eight offences were reported in the last four years. In these cases also the offence was committed, and, so far as is generally known, the offence is committed, by two or three persons only, and not by a gang; and we have no reason to believe that gangs or associations of persons exist, who make a living by committing robbery in this fashion. So far, then, as the Central Provinces are concerned, no change in the existing law is necessary. As regards the more general question of the sufficiency of the present law to keep down crime of the kind under discussion, I am to say that Colonel Hervey's arguments do not convince the Chief Commissioner that the present law is in any way defective, or unable to do all that he aims at. His argument is briefly this: that poisoning or drugging for the sake of robbery is committed by gangs of men associated together

for that particular purpose; that they can only be hunted up and discovered by adopting the approver system; and that, unless persons convicted of the offence of poisoning or drugging with a view to robbery are punished with transportation for life at the least, they will not turn approvers.

3. The Chief Commissioner must assume that Colonel Hervey has evidence to show that there are associations of men who combine to commit this class of offence, and if this is so, it is extremely probable that the approver system would be the most effective in breaking up these associations and bringing their members to justice; but then Mr. Morris cannot but think that the existing law is quite sufficient in the punishment it allows to induce men to turn approvers, rather than undergo the punishment to which they have on conviction been sentenced. Ten years is the maximum term of imprisonment that can, under Section 307 of the Penal Code, be given for an attempt to murder that does not result in hurt to any person.

4. Ten years' imprisonment and fine is also the maximum punishment, under Section 328, for administering a stupefying drug with intent to hurt.

5. But Colonel Hervey has apparently overlooked that when attempt at murder results in hurt to any person, the penalty is or may be transportation for life. This should prove sufficient to secure a severe punishment in all really serious cases of poisoning, for hurt is defined under the Penal Code as the causing of bodily pain, disease, or infirmity to any person, and hurt could scarcely fail to be occasioned in any serious case of poisoning.

6. In serious cases, then, the Chief Commissioner apprehends that, even under the law as it is at present, sentences for transportation for life could be obtained against poisoners.

7. Again, it can scarcely be necessary that all persons convicted of poisoning or drugging with a view to robbery should be turned into approvers, and such approvers as are required might come either from those convicted of the offence whose sentence is transportation for life, or from such as are sentenced for shorter period as look upon their sentence of imprisonment as a worse evil than the becoming approvers. Ten years' imprisonment in an Indian jail is certainly no light punishment, and one which most people would be willing to evade if they had an opportunity offered them. Lastly, if transportation for life were made the punishment for all persons convicted of poisoning or drugging with intent to rob, there would be a strong inducement to such poisoners to make sure of their victims so as to secure themselves against being recognised by persons recovering from the effects of poisoning, for even if convicted of murder they would have a good chance of escaping the gallows and being sentenced to the minor punishment of transportation for life, which would be their punishment for a mild case of poisoning.

8. In the Central Provinces the Chief Commissioner is of opinion no special legislation and no change of the law is necessary; and should special legislation or an alteration of the law be necessary elsewhere, he scarcely thinks that it would do to accept the proposals of the General Superintendent of Operations for the Suppression of Thuggee and Dacoitee.

From COLONEL H. D. TAYLOR, Inspector-General of Police, Central Provinces, to the Secretary to the Chief Commissioner of the Centrai Provinces,—No. 3722, dated Nagpur, the 4th July 1873.

I have the honour to reply to your memorandum No. 1959—92, dated 18th ultimo, giving cover to copy of letter No. 225 of 17th May, from the Secretary to Government of India, with enclosure, on the subject of Colonel Hervey's proposal to deal with the crime of professional poisoning on the approver system, which was applied so successfully to thuggee when the crime was prevalent.

In 1869 three cases.
In 1870 two cases.
In 1871 none.
In 1872 three cases.

With reference to the enquiry by the Government of India, made in the 1st paragraph of the Secretary's letter, the marginal statement of the number of cases of professional poisoning that have been reported to the Police during the last four years will show that the crime is infrequent in the Central Provinces. During these four years there were eight cases in all, and of these one was a very doubtful one. In one case only the poisoning resulted in death. As a rule, professional poisoners do not visit the Central Provinces in gangs; they usually go either alone or in parties of two or three. In one of the above eight cases there was a gang of seven persons, in one case a party of three persons, in two cases there were two persons in each, in three cases one person only in each, and in one the number is unknown.

3. As regards Colonel Hervey's proposals, our experience of this particular crime is happily so small in the Central Provinces that any opinion I may offer can hardly be of much value. So far as this Province is concerned, I think the Police are able to cope with the professional poisoners under the existing laws. In provinces where the crime is rife and increasing, it may be desirable to apply to it the system of approvers, by means of which thuggee was suppressed, and it seems logical to suppose that the system will be equally successful against the one as against the other if worked with the same intelligence, and if, as in the case of the thugs, the poisoners associate in large gangs, or are generally known to one another. So far as my own experience goes, and as shown above, they do not habitually go about in gangs, but either singly or in small parties of twos and threes; still they may be known to, and have communication with, each other all over the country. The sort of free masonry that exists all over India between criminal fraternities practising the same description of crime, would lead one to expect that such will be found amongst poisoners. Upon this subject, no doubt, Colonel Hervey will be fully informed.

4. Should it be considered expedient to apply the approver system on an extended scale to professional poisoning, then I think Colonel Hervey has shown in his letter that it is desirable to make some provision to bring the poisoners under enhanced punishment, if, as he thinks, the law as it stands does not already provide what he wants. When death is the result, the poisoner can of course be charged with and sentenced for murder, but in many cases, particularly when dhatoora is employed, the victim not only recovers, but sustains no permanent injury; and this being the case, I suppose it would be difficult in many instances and before some Magistrates to convict the accused of having caused "hurt." But for this difficulty the law, as it exists, appears quite sufficient to meet

Colonel Hervey's demands; for the latter part of Section 307 of the Indian Penal Code provides that, if any person causes "hurt" by doing an act with the knowledge that if death ensued from the act he would be guilty of murder, he should be liable to transportation for life—a punishment which seems sufficiently severe to enable the Thuggee Department to secure the services of reliable approvers.

5. Should the Government of India think it desirable to apply the approver system to professional poisoners, all then that seems necessary in order to carry out Colonel Hervey's recommendation appears to be an enactment that every professional criminal administering stupefying drugs shall be considered to perform an act causing "hurt," such as is contemplated in Section 307 of the Indian Penal Code, and shall be liable to the punishment therein prescribed for the same.

From C. B. COOKE, Esq., Assistant Secretary to the Chief Commissioner of British Burma, to the Secretary to the Government of India, Home Department,—No. 1187—282, dated Rangoon, the 18th October 1873.

I am directed to acknowledge the receipt of your letter No. 236, dated 27th May 1873, forwarding a copy of correspondence from the General Superintendent of Operations for the Suppression of Thuggee and Dacoitee, and enquiring whether the crime of habitual poisoning with intent to rob, and of associating in gangs for this purpose, is prevalent in this Province.

2. In reply I am directed to enclose a copy of the replies* from the officers who were consulted on the subject, from which it will be seen that systematic poisoning with intent to rob, such as prevails in India, is almost unknown in Burma, and that consequently no change in the existing law is required as far as this Province is concerned.

* 1. No. 66—14, dated 4th August 1873, from Commissioner of Pegu, with enclosures.
2. No. 701—46, dated 15th July 1873, from Judicial Commissioner.
3. No. 115, dated 30th June 1873, from Commissioner of Tenasserim.
4. No. 34, dated 16th July 1873, from Commissioner of Arakan.
5. No. 302, dated 7th October 1873, from Inspector-General of Police.

From the Commissioner of Pegu, to the Secretary to the Chief Commissioner of British Burma,—No. 66—14, dated the 4th August 1873.

In reply to your letter No. 713—282 of the 25th June, on the subject of poisoning with intent to rob, I have the honour to submit reports from district officers as below :—

From Magistrate, No. 40, dated 4th June 1873.
" Rangoon, No. 57—2, dated 8th July 1873.
" Bassein, No. 199, dated 11th July 1873.
" Henzada, No. 133—4, dated 29th July 1873.
" Prome, No. 139—3, dated 11th July 1873.
" Thayetmyo, No. 230, dated 11th July 1873.

2. The crime alluded to is not common in this Division, and it is certainly never committed by persons associating in gangs for this purpose.

3. Captain Street notices a single case in which some stupefying drug was given to a family in order to facilitate the commission of a

theft, and in an appeal now before me from the Assistant Commissioner of Henzada, I find a theft was committed on some boatmen after drugging them in a friendly manner; but, as I have said, the crime is a very uncommon one.

From the Magistrate of the Town of Rangoon, to the Commissioner of Pegu,—No. 40, dated Rangoon, the 4th June 1873.

In reply to your letter No. 66—7, Judicial Department (Criminal) of the 27th June last, I have the honour to inform you that since I have been in Rangoon I have never heard of a case of poisoning with intent to rob, and of men associating in gangs for such a purpose.

From the Deputy Commissioner of Rangoon, to the Commissioner of Pegu,—No. 57—2, dated the 8th July 1873.

In reply to your Judicial Department No. 66—2, dated 27th June 1873, I have the honour to inform you that I have not heard of a single case of the kind referred to.

Since the receipt of your letter a case has comebefore me, in which some stupefying drug was given to a family in order to facilitate the commission of a theft. This occurred in the Syriam township, but it is the first case of the kind which has been reported.

From the Deputy Commissioner of Bassein, to the Commissioner of Pegu,—No. 199, dated the 11th July 1873.

With reference to your Judicial Department No. 66—3, dated 27th ultimo, I have the honour to report that not a single case of poisoning with intent to rob, or of gangs associating for such a purpose, has been heard of in this district.

From the Deputy Commissioner of Henzada, to the Commissioner of Pegu,—No. 133—4, dated Henzada, the 29th July 1873.

Your letter, Judicial (Criminal) No. 66—4 of 27th ultimo, enquiring whether cases of poisoning with a view to rob are common.

No cases of the kind are known in this district.

I have never heard of one since I have been in Burma.

Happily cases of poisoning in Burma are very rare.

I have had a case lately in which gunja was put in a curry, and the property of the persons stupefied thereby was stolen during the night; and I remember another similar case occurring years ago. Such, however are exceptions.

From the Deputy Commissioner of Prome, to the Commissioner of Pegu,—No. 139—3, dated Prome, the 11th July 1873.

With reference to your letter, Judicial Department, No 66—5 (Criminal), dated 27th June 1873, I have the honour to report that the crime of poisoning with intent to rob is not practised in this district. Not a single case has been reported during the last two years.

From the Officiating Deputy Commissioner of Thayetmyo, to the Commissioner of Pegu,—No. 230, dated Thayetmyo, the 11th July 1873.

In reply to your Judicial Department No. 66—6, dated 27th June, I have the honour to report that neither in this district nor in any part of it is the crime of poisoning with intent to rob, and associating in gangs for the purpose, prevalent, and that no instances of the commission of that crime are known to have occurred.

From the Judicial Commissioner of British Burma, to the Secretary to the Chief Commissioner of British Burma,—No. 701—46, dated Rangoon, the 15th July 1873.

In reply to the Assistant Secretary's letter No. 715—282, Judicial (Criminal), dated 25th ultimo, forwarding copy of letter No. 226, dated 27th May 1873, with its enclosure, from the Home Secretary to the Government of India, I have the honour to state that, so far as I am aware, systematic poisoning with intent to rob, and associating in gangs for that purpose, do not exist in this province.

From the Commissioner of Tenasserim, to the Officiating Secretary to the Chief Commissioner of British Burma,—No. 115, dated Moulmein, the 30th June 1873.

In reply to your letter No. 714—282, Judicial Department (Criminal), dated 25th instant, with enclosures, I have the honour to report that the crime of poisoning with intent to rob, and of associating in gangs for that purpose, is not prevalent in any part of this Division.

From the Commissioner of Arakan, to the Secretary to the Chief Commissioner of British Burma,—No. 34, dated Akyab, the 16th July 1873.

Referring to your letter No. 712—282 of the 25th ultimo, I have the honour to state, for the information of the Chief Commissioner of British Burma, that the crime of poisoning with intent to rob, and of associating in gangs for this purpose, is not prevalent in any part of this Division.

From Lieutenant-Colonel J. C. Hamilton, Officiating Inspector-General of Police, British Burma,—No. 302, dated Rangoon, the 7th October 1873.

In reply to the inquiry mentioned in your letter No. 716—282 of 25th June 1873, regarding the prevalence of the crime of poisoning with intent to rob, I have the honour to report that I have made special inquiry of all the Superintendents of Police in the Province, and their replies are distinct; they state the crime is unknown in British Burma.

I have examined the criminal reports of the Province from 1861 to date, and can only find three cases approaching the crime in question, *viz.*, one in which a Mahomedan had lost property and induced a native drug-dealer to administer a preparation to discover the thief; a second in which two Chinamen to plunder a boat administered drugs; a third where a native of India administered poison to obtain possession of the daughter of the person poisoned. In all three cases conviction followed.

The use of drugs with intent to rob is, I may safely say, unknown in the Province, and as a means to the commission of crime against property

or life is not likely to be resorted to by Barmese, or any of the indigenous races. Within the period—thirteen years,—embraced in the inquiry I have made, regarding the crime of administering drugs, only twelve cases have occurred, including the three quoted, and these generally of a petty nature.

From H. W. WELLESLEY, Esq., Officiating Secretary to the Chief Commissioner of Coorg, to A. C. LYALL, Esq., Secretary to the Government of India, Home Department,—No. 301—21 J., dated Bangalore, the 14th August 1873.

In acknowledging receipt of your letter No. 227, dated 27th May 1873, I have the honour, by direction of the Chief Commissioner, to state that during the past five years the cases of poisoning under Section 328 of the Indian Penal Code reported by the Police were—

In Coorg	. 1 in 1868.	In Mysore	. 11 in 1870.
In Mysore	. 12 „ 1868.	„	. 3 „ 1871.
„	. 15 „ 1869.	„	. 6 „ 1872.

2. As regards Coorg the prevalence of this crime does not call for any change in the existing law.

3. Looking, however, to the peculiar character of the crime, and the fact that it is practised to a serious extent in some parts of India, the Chief Commissioner is of opinion that it should be treated with exceptional severity, and concurs with the Judicial Commissioner of this Province in thinking that, with regard to the punishment prescribed by Section 328 of the Penal Code, the criminal courts should have it in their power to inflict, when necessary, sentence of death or transportation for life in cases of poisoning, as proposed by Colonel C. Hervey.

From J. D. GORDON, Esq., Judicial Commissioner of Coorg, to H. W. WELLESLEY, Esq., Officiating Secretary to the Chief Commissioner of Coorg,—No. 1026—129, dated Bangalore, the 5th August 1873.

In reply to your letter No. 165—15, dated 10th June 1873, I have the honour to forward herewith, for the information of the Chief Commissioner, an extract* from a letter from the Superintendent of Coorg, No. 2, dated 26th July 1873.

* Paragraphs 4 and 5.

2. During the last five years there was in Coorg only one case of poisoning with intent to rob reported in 1868.

3. With regard to the punishment prescribed by Section 328 of the Penal Code, I am of opinion that the criminal courts should have it in their power to inflict, when necessary, sentence of death or transportation for life in cases of poisoning, in the manner proposed by Colonel C. Hervey.

Extract, paragraphs 4 and 5, from a letter from the Superintendent of Coorg,—No. 2, dated 26th July 1873.

4. In 1868 the Subadar of the Nanjarapatna Talook brought to notice a case in which two travellers had been robbed after being poisoned. They recovered from the effects of the poison, but the man

who administered it made away with property valued at Rs. 80 while the men were lying insensible. The criminal was not traced.

5. Though Coorg has hitherto been comparatively free from the crime of poisoning, it is, I think, advisable to make the offence punishable with death or transportation for life. It is a more heinous offence than robbery with violence, and the offenders are more likely to escape.

From MAJOR W. TWEEDIE, First Assistant Resident at Hyderabad, to A. C. LYALL, Esq., Secretary to the Government of India, Home Department,—No. 86, dated Hyderabad, the 18th September 1873.

No. 228, dated 27th May 1873.
No. 326, dated 1st August 1873.

The Resident has the honour, in reply to Mr. Under Secretary Plowden's letters marginally noted, to submit, for the information of His Excellency the Viceroy and Governor General in Council, the accompanying reports received from the Commissioners of East and West Berar and the Inspector-General of Police, Hyderabad Assigned Districts, on the subject of the crime of habitual poisoning with intent to rob, and of associating in gangs for that purpose.

2. It will be perceived from these reports that, as far at least as the Hyderabad Assigned Districts are concerned, no grounds are at present discoverable such as would indicate the prevalence of this crime. On the contrary, only three cases falling under that head are reported to have been recorded since December 1870, the particulars of each of which will be found in the report by the Inspector-General of Police, which forms an accompaniment to this letter. As regards the punishments awarded in those cases, Mr. Saunders is disposed to concur with Major Millett in attributing the seemingly mild sentences which were passed in regard to them, rather to a lenient view taken by the Judge himself, than to any inherent inadequacy on the part of the law itself to cope with offences of this nature.

3. As regards Berar, therefore, there would appear to exist no circumstances pointing to the necessity for offences of the class under notice being dealt with under any special form of procedure resembling that obtaining in the Thuggee and Dacoitee Suppression Department, nor does any alteration of the existing law on the subject appear called for.

From J. ALLARDYCE, Esq., Officiating Commissioner, East Berar, to MAJOR W. TWEEDIE, First Assistant Resident at Hyderabad,—No. 2840, datad Umraoti, the 3rd September 1873.

In acknowledging the receipt of your Nos. 366 and 546 of the 7th June and 8th July 1873, respectively, calling for report on the subject of the crime of habitual poisoning with intent to rob, I have the honour to state that in this Division the crime in question is not prevalent.

2. I do not say that a case of this sort never occurs, but very lately a case of poisoning with intent to rob was tried by the Deputy Commissioner, Umraoti; it was, however, a solitary and rare case, and the criminal was a man belonging to Upper India.

3. I do not think that any extraordinary or special measures other than those already provided by law to meet such cases are required for Berar.

From MAJOR JAMES G. BELL, Officiating Commissioner, West Berar, to MAJOR W. TWEEDIE, First Assistant Resident at Hyderabad,—No. 3228, dated Akola, the 5th September 1873.

With reference to the correspondence received with your No. 547, dated 8th July 1873, I have the honour to state, for the information of the Resident, that from the reports* received from District Officers, which are enclosed, it would appear the crime of habitual poisoning with intent to rob, and of associating in gangs for this purpose, cannot be said to be prevalent in this Division of the Assigned Districts, and I am, therefore, of opinion that the law as it is at present is quite sufficient to meet such offences as are alluded to in the correspondence under reply.

* From Deputy Commissioner, Akola, No. 1163 D—C, dated 2nd August 1873.
From Deputy Commissioner, Buldana, No. 1989, dated 21st August 1873.
From Assistant Commissioner, Bassim, No. 1998, dated 23rd August 1873.

From R. BULLOCK, Esq., Officiating Deputy Commissioner, Akola District, to MAJOR JAMES G. BELL, Offg. Commissioner, West Berar,—No. 1163 C—D., dated Akola, the 2nd August 1873.

I have the honour, in reply to your No. 2642, dated 22nd July 1873, to state that the criminal records of this district do not show that the crime of habitual poisoning with intent to rob, and associating in gangs for this purpose, is prevalent.

2. As far, therefore, as this district is concerned, there appears no reason to introduce especial measures for checking this crime.

From CAPTAIN R. HUDLESTON, Deputy Commissioner, Buldana District, to MAJOR JAMES G. BELL, Officiating Commissioner, West Berar,—No. 1989, dated Buldana, the 21st August 1873.

In reply to your No. 2642, dated 22nd July 1873, regarding the alteration of the law with regard to offences under the sections mentioned in letter No. 228, dated 27th May, from the Under Secretary to the Government of India, I have the honour to inform you that I have had inspected all the cases of offences under these sections which have occurred during the past two years, and find that there were no professional or habitual offenders concerned in any of them.

2. Under these circumstances I consider that the law as it stands is quite equal to cope with the circumstances alluded to by Colonel Hervey.

From J. FITZGERALD, Esq., Assistant Commissioner in charge Bassim District, to MAJOR JAMES G. BELL, Officiating Commissioner, West Berar,—No. 1998, dated Bassim, the 23rd August 1870.

In reply to your No. 2642, dated 22nd ultimo, I have the honour to state as follows.

2. I know of two men who were professional poisoners, and who are or were lately one in the Akola Jail and one in the Umraoti Jail. But I am not aware that they were members of a gang of professional poisoners.

3. If any such gangs do exist, they came to Berar from other parts of India.

4. I do not think that crime of this class need in this district be dealt with on the Thuggee system. Ten years and five is a severe sentence, and sufficient, in my opinion, to meet the merits of any case I have heard of in Berar.

From MAJOR A. H. MILLETT, Inspector-General of Police, Hyderabad Assigned Districts, to MAJOR W. TWEEDIE, First Assistant Resident, Hyderabad,—No. 2201, dated Umraoti, the 16th July 1873.

I have the honour to forward, for submission to the Resident, the report on the subject of "habitual poisoning with intent to rob, and of associating in gangs for that purpose," which was called for in your endorsement No. 368, dated the 7th June 1873.

2. The printed copy of Colonel Hervey's letter No. 124 A, dated the 7th April 1873, to which reference is made in Government of India (Home) letter No. 228 of the 27th May 1873, as well as in the endorsement already alluded to, reached me on the 12th July 1873.

3. Both from recollections of my own experience and from recent reports received from District Superintendents of Police in answer to calls made from this office, I am of opinion that the crime of "habitual poisoning with intent to rob, and of associating in gangs for that purpose," is not prevalent in the Hyderabad Assigned Districts.

4. I propose now to give a brief sketch of each case which occurred in Berar since the close of the year 1870, premising that I thought it unnecessary to make enquiries which would take in crimes of a date earlier than 1871, because it seemed to me that the records of two and a half years would suffice to show whether or not the offence under discussion could be called prevalent.

5. Only three cases of professional poisoning with intent to rob have been brought to light since 31st December 1870.

6. The first occurred on the 2nd December 1872 in the Ellichpur District.

In the evening a boy named Gunput, aged seven years, son of a Koonbee, resident of the village of Patrote, came to his home in a state of delirium and as if drunk. A little later a barber named Kooshna came to the house and asked for milk. He was refused and was told that the child was ill. On this he said that the devil must have got into the child, and that he knew a fukeer who could cure the boy. The parents allowed Kooshna to bring the holy man, who recommended lime-juice to be given to the sick child. This was done, and the next morning the child recovered. Kooshna and the fukeer (Unwur Shah) demanded Rs. 25 for having cured the child, but had for the time to be satisfied with Rs. 5. When the boy had quite recovered, he recounted how Kooshna had given him *goor* to eat just before he became senseless. Kooshna and Unwur Shah were convicted before the Deputy Commissioner, and were severally sentenced to five years' rigorous imprisonment. The conviction and sentence were, however, not upheld by the Sessions Court.

Perhaps the case just mentioned might more fitly be regarded as poisoning "with intent to cheat," and not "with intent to rob."

7. In the second and third cases, a Purdesee Chuttree named Buldeo administered dhatoora in chutney to men with whom he had fallen in on the road, and robbed them when they became insensible. He did the

same thing a little later in the Nursingpur District, was arrested there, and, after conviction, sentenced to five years' rigorous imprisonment.

On transfer to Umraoti he was convicted of the offence to which I have alluded as the third case, and sentenced to five years' rigorous imprisonment, and when transferred to Akola he was sentenced to three years' rigorous imprisonment for the case shown by me as the second.

8. There is, I think, reason to believe that instances of partial poisoning with intent to cheat, such as that in which Kooshna and Unwur Shah were concerned, may have occurred without their having been brought to the notice of the Police in their true light; but I doubt such cases being at all common.

9. As regards the adequacy of the punishment provided by law for offences of this nature, it seems to me that little good would result from increasing the term of imprisonment which the law allows for this offence, unless at the same time it be made obligatory on the Courts to give not less than a fixed minimum term of imprisonment, in the same manner as is provided for dacoitee, or robbery with attempt to cause death or grievous hurt (Section 397, Indian Penal Code).

10. I recollect a professional poisoner (Shaik Lall) being convicted in the Akola District in 1866 or 1867. I think he was convicted in two cases of dhatoora poisoning out of several similar cases brought against him, and that he was sentenced to five years' rigorous imprisonment.

It may be observed that five years' rigorous imprisonment was the highest sentence awarded to the clearly professional poisoner Buldeo—(see paragraph 6 of this letter); and I incline, therefore, to think that the application of the law, and not the law itself, has been at fault, if it be complained that the present state of the law proves insufficient to cope with the crime of poisoning.

11. The District Superintendents of Police report on this question to the following purport:—

Captain Lane (Umraoti) thinks that the law as it stands is sufficiently stringent to cope with the crime if administered up to its allowed severity.

Mr. Wright (Buldana), from want of experience of the particular crime in question, has no opinion to offer.

Mr. Cumberlege (Woon), so far as his knowledge of the crime goes with reference to this province, sees nothing to call for more stringent enactments.

Major Jameson (Akola) considers the law as at present existing sufficiently severe, provided that the full penalty (ten years' rigorous imprisonment and fine) were more frequently inflicted.

Mr. Christian (Bassim) offers no opinion.

Mr. Heath (Ellichpur) does not think it necessary to provide additional punishment for the crime mentioned, and states that he has never known a Magistrate to sentence a prisoner to the full punishment provided under Section 328, Indian Penal Code.

12. My own impression is that as in the 397th Section of the Penal Code, the minimum sentence for poisoning with intent to rob or to injure should be seven years' imprisonment, the maximum punishment remaining as it now stands.

Should it be objected that the change which I would recommend would have the effect of too greatly diminishing the elasticity of the section in its application to offenders of varied degrees of guilt, I should incline to suggest the absolute retention of the minimum punishment of seven years' imprisonment, and the moderate extension of the maximum sentence.

13. Speaking for this province alone, I believe that the application of the Thuggee system to the crime of habitual poisoning is unnecessary.

From COLONEL C. HERVEY, General Superintendent of Operations for the Suppression of Thuggee and Dacoitee, to A. P. HOWELL, Esq., Officiating Secretary to the Government of India, Home Department,—No. 318A, dated Calcutta, the 25th June 1874.

I have from time to time submitted to the notice of Government through yourself the prevalence of the crime of thuggee by means of poison.

2. It has also been my duty to urge upon the Government of India the necessity to adopt some more strenuous measures for its suppression. I have submitted that the danger of its gaining head was in proportion to the difficulty of detection, and have pressed for an alteration in the law against poisoning by which to secure a greater degree of punishment, and the expediency of applying the "Approver System," in proceedings against the persons in the habit of committing it, and I have awaited the decision of Government on these points.

3. Sufficient punishment does not follow conviction, and the crime continues to be practised throughout British districts without any abatement.

4. The following are two very recent examples of its occurrence:—

(1) A company of 21 persons lately come up with opium, had sold it, and were returning with the proceeds to their homes. Between Gonda and Fyzabad, in Oudh, they alighted at a village called Maujee Jainterah, where, on the 20th ultimo, a person like a faqueer administered some dhatoora to them in their food, of which they one and all partook, and all became more or less insensible from doing so. Something occurred to scare away the culprit without opportunity to rob their persons. All the travellers fortunately recovered. They probably only did so from the accident of an under-dose. No detection reported.

(2) Four persons from Oudh entered the garden of a malee at Rai, near Delhi, on the forenoon of the 28th ultimo, and there took their food. The malee went away; but on coming back at about 3 P.M. he perceived two of the number lying senseless upon the ground, the other two not being there. He hastened to report the circumstance to the Police Inspector, on coming back to the spot with whom, both were found *to be dead*, and their purses plundered. The culprits were traced back two stages from Rai, but they have not been arrested.

Memorandum from T. J. CHICHELE PLOWDEN, Esq., Officiating Under Secretary to the Government of India, Home Department, to the Legislative Department,—No. 287, dated Fort William, the 25th August 1874.

From the General Superintendent of Operations for the Suppression of Thuggee and Dacoitee, No. 1201, dated 29th October 1872.

To ditto ditto, No. 62, dated 10th January 1873.

From ditto ditto, No. 124A, dated 7th April 1873.

Circular Nos. 219-228, dated 27th May 1873, and the replies of the Local Governments and Administrations.

From the General Superintendent of Operations for the Suppression of Thuggee and Dacoitee, No. 318, dated 25th June 1874.

In continuation of the endorsement No. 113, dated the 9th February 1872, the undersigned is directed to forward a copy of the correspondence noted on the margin in regard to the crime of poisoning with intent to rob, and to observe that Colonel Hervey's suggestion for the amendment of the law on the subject, in view to enhancing the punishment now awardable for the crime, should be considered on the occasion of the next revision of the Indian Penal Code.

From T. J. CHICHELE PLOWDEN, Esq., Officiating Under Secretary to the Government of India, Home Department, to the General Superintendent, of Operations for the Suppression of Thuggee and Dacoitee,—No. 288, dated Fort William, the 25th August 1874.

* Circular Nos. 219—228, dated 27th May 1873.

† From the Government of Madras, No. 1500, dated 18th September 1873.

From the Government of Bombay, No. 1886, dated 31st March 1874.

From the Government of Bengal, No. 3993, dated 30th August 1873.

From the Government of the North-Western Provinces, No. 205, dated 19th August 1873.

From the Government of the Punjab, No. 3975, dated 24th October 1873.

From the Chief Commissioner of Oudh, No. 3141, dated 27th June 1873.

From the Chief Commissioner of the Central Provinces, No. 2339—112, dated 19th July 1873.

From the Chief Commissioner of British Burma, No. 1187—282, dated 18th October 1873.

From the Chief Commissioner of Coorg, No. 301—21J, dated 14th August 1873.

From the Resident at Hyderabad, No. 86, dated 18th September 1873.

With reference to Colonel Hervey's letter No. 124A, dated the 7th April 1873, reporting on the prevalence of habitual poisoning with intent to rob, and suggesting that the crime may be dealt with on the Thuggee system, and the law on the subject amended with the view of enhancing the punishment now awardable in case of conviction, I am directed to forward copy of a circular* issued by this Department on the 27th May 1873, and of the opinions given by the Local Governments and Administrations† on the proposals put forward by Colonel Hervey; and I am to state that the Government of India will be glad to be made acquainted with your views on the matter whenever you may feel yourself able to favour them with a matured opinion.

2. Colonel Hervey's letter dated the 25th June last has been received.

From MAJOR E. R. C. BRADFORD, General Superintendent of Operations for the Suppression of Thuggee and Dacoitee, to T. J. CHICHELE PLOWDEN, Esq., Officiating Under Secretary to the Government of India, Home Department,—No. 734, dated Simla, 30th June 1875.

With reference to your Office letter No. 288, dated 25th August 1874, wherein I was requested to state my views whenever I might feel

myself able to form a mature opinion on the suggestion made by Colonel Hervey in his letter No. 124A, dated 7th April 1873 (to your address), that the crime of habitual poisoning with intent to rob should be dealt with on the Thuggee system, and the law amended with a view of enhancing the punishment now awardable in case of conviction, I have the honour in reply to state that I consider the law as it at present exists, if I comprehend it correctly, is not only ample for dealing with the crime, but that in it is contained every requirement for which Colonel Hervey advocated an amendment thereof.

2. I will proceed as briefly as possible to explain my reasons for the view I have here expressed. In Colonel Hervey's letter to which my attention is drawn he admits that Section 322 of the new Criminal Procedure Code have legalised the Approver System, but he maintained that the law in force did not allow of sufficient punishment being awarded to criminals convicted of thuggee by poisoning,—the consequence being that good approvers could not be secured. In paragraph 4 of his letter he points out that "an accomplice whose evidence it was desirable to secure as a Government approver would not, when under a limited sentence of imprisonment only, and the prospect then before him of eventual restoration to liberty, give the same unreserved evidence as the man who was sentenced to death or transportation for life, with no such prospect before him. The experience of this Department was that the evidence of the former was as a general rule given with reservation. He had not much to lose or to be afraid of by withholding his evidence or by accusing innocent persons, and he need not therefore much fear the detection he was liable to, however sure the process. But the life-sentenced approver had everything to lose and be afraid of when detected in giving false or partial evidence, which he was generally sure to be,—his conditional pardon was revoked, his sentence hitherto held in abeyance was carried out, and he thus reverted to the punishment from which he had escaped only so long as he chose to speak the truth."

3. Colonel Hervey proceeds to say that "the existing mofussil law against poisoning did not provide that sentence of extreme or last punishment, and that except it should do so these criminals must continue to flourish." He therefore urged again what he had repeatedly advocated before, *viz.*, "to convert Act XXIX of 1850 for the prevention of poisoning, the operation of which was confined to the Presidency towns only, into a law for all India."

4. The provisions of the above referred to Act, which I would here *en passant* mention has been repealed by Act VIII of 1868, were that "whoever shall wilfully and maliciously administer to or cause to be taken by any person any poison, or any stupefying or intoxicating drug, or any unwholesome thing, with the intent, in any of the cases aforesaid, to do any permanent or temporary bodily harm to such person, or with intent to commit or abet the commission of any unlawful act, shall be liable at the discretion of the Court to be transported to such place as the Court shall direct for life or for any term of years, or to be imprisoned for any term not exceeding four years." And under its operation Colonel Hervey considered the Department "would be enabled to obtain approvers from whom more reliable evidence might be expected than ordinarily was to be elicited from persons not so sentenced;" further,

the higher punishment would have due effect upon the people in the habit of committing this crime.

5. Colonel Hervey then pointed out that under the existing mofussil law the sentence to be awarded to a person convicted of poisoning is limited to ten years' imprisonment only—a sentence which he considered insufficient to deter the many, and also one preventing the Approver System being applied to the suppression of the crime with any prospect of success.

Vide Section 328 of the Indian Penal Code.

6. It is evident, then, from the above that Colonel Hervey's object in making the suggestion as to the amendment of the law was to obtain sentences of imprisonment for life against those who might be convicted of the crime of poisoning, or, as it would be more correctly described, "robbery by the means of administering stupefying drugs," and that thus a more ready way for applying the Approver System to the suppression of the offence might be opened up.

7. Now, conceding the question as to a life sentence being necessary to ensure the successful application of the Approver System, it appears to me to have been entirely lost sight of in the above representation that a life sentence is quite in accordance with the existing law. The offence of which the whole of this correspondence treats is, I contend, "roberry," —not "theft." By Section 390 of the Indian Penal Code it is declared that "theft" is "robbery" "if in order to the committing of the theft or in committing the theft, or in carrying away or in attempting to carry away property obtained by the theft, the offender for that and voluntarily causes or attempts to cause to any person death or hurt or wrongful restraint, &c. By Section 319 of the Code, whoever causes bodily pain, disease, or infirmity to any person is said to cause hurt. Any hurt which endangers life or which causes the sufferer to be during the space of 20 days in severe bodily pain or unable to follow his ordinary pursuits is declared by Section 320 to be grievous. By Section 321 whoever does any act with the intention of causing hurt to any person, or with the knowledge that he is likely thereby to cause hurt to any person, &c.," is said "voluntarily to cause hurt."

8. There can, I think, be little, if any, doubt that the administering of poison with a view to rob the person to whom poison is administered, whereby, if death does not actually ensue, life is almost always endangered and insensibility or violent retching or vomiting and purging generally caused, is within the definition of "voluntarily causing hurt," or even grievous hurt, and such being the case, Section 394 of the Indian Penal Code, not Section 328 (which Colonel Hervey in his letter under reference appears to have considered the only one applicable to these cases), is that under which all cases such as this Department has any cognisance of, should be committed and tried.

9. This Section 394 of the Indian Penal Code enacts: "if any person in committing or in attempting to commit robbery voluntarily causes hurt, such person, and any other person jointly concerned in committing or in attempting to commit such robbery, shall be punished with transportation for life, or with rigorous imprisonment for a term which may extend to three years, and shall be liable to fine."

Under the above section, then, I deem it every requirement which Colonel Hervey considered would be fulfilled by making the now repealed Act XXIX of 1850 applicable to the whole of India, is met, and I cannot conceive that more is required.

10. I have no reason to suppose that there is any reluctance on the part of Judicial officers to convict persons arrested for this hateful crime under the section I have above quoted. On the contrary, within the last few months I am aware of several convictions under this section whereby life sentences have been awarded; and in proof that the law as it at present exists contains no impediment to the working of the Approver System with regard to cases of this nature, I cannot do better than quote the case of Buldewa Bhat, whose transfer to this Department as an approver on a conditional pardon was lately sanctioned by His Excellency in Council, as conveyed in your Office letter No. 282, dated 4th June 1875, he having been sentenced to transportation for life under Section 394 of the Indian Penal Code.

11. There is one point further in connection with Colonel Hervey's remarks which I should perhaps not pass over: I refer to the latter part of paragraph 5 of his letter No. 124A, dated 7th April 1873, where he says—"if death has been the result of the poison administered, the distinct law for murder is certainly strong enough for obtaining a sentence of death or of life transportation; but it is necessary to indict the accused on the charge of that specific instance *per se*, and the evidence necessary for obtaining conviction thereon is generally insufficient, except on very special occasions. The alternative with us is to arraign the accused on the general charge of his belonging to the gang engaged in such practices; and our procedure is to adduce certain but authenticated instances of the crime as part of the proof of the charge,—not to show that the accused was present in them, but that he belonged to the gang by which they were committed." I cannot perceive that the converting of Act XXIX of 1850 would in any degree whatever have decreased the amount of evidence necessary to prove the complicity of an accused person in any special offence, for by that Act he could have been tried only for the special offence; and I am not aware that under the provisions of that Act a person could be tried for being jointly concerned in the commission of the unlawful act with a view to the commission of which the poison or deleterious drug was administered—which under Section 394 he most certainly can.

12. Then as regards the procedure of the Department "in arraigning the accused person on the general charge of his belonging to the gang, adducing certain well-authenticated instances of the crime as part of the proof of that charge," I would remark that this is undoubtedly the custom of the Department in its dealings with thugs and dacoits, but it has yet to be shown that these dhatoora poisoners are in a similar manner connected with each other by equally binding ties. As far as we have yet been able to learn, dhatoora poisoners do not work in large gangs, but in twos and threes. They are totally unconnected by any ties, or even by any conventional relations, to each other. The procedure therefore followed in the case of thugs and dacoits would be scarcely applicable in their case.

This point, however, seems to me somewhat irrelevant to the present matter in hand, as no proposal appears to have been made for any

special enactment with a view to dealing with the gangs of these persons, if such there be.

13. I have not thought it necessary to notice Sections 310 and 311 of the Indian Penal Code specially bearing on thuggee, as they cannot be in any way applicable to the crime of "robbery by the means of administering stupefying drugs," for it is well known that the persons guilty of this crime have no intention whatever of causing the death of their victims, although death frequently ensues.

From Arthur Howell, Esq., Officiating Secretary to the Government of India, Home Department, to the General Superintendent of Operations for the Suppression of Thuggee and Dacoitee,—No. 217, dated Simla, 22nd July 1875.

I am directed to acknowledge your letter No. 734, dated the 30th ultimo, and in reply to say that the Government of India accept your opinion that the proposed amendment of the existing law with regard to the crime of habitual poisoning with intent to rob is unnecessary. It will of course be open to you to modify your views if further experience should not confirm them, in which case the Government would wish to be informed.

No. 218.

Copy of correspondence* forwarded to the Legislative Department for information, in continuation of Office Memorandum No. 287, dated 25th August 1874.

* Letter to General Superintendent, No. 288, dated 25th August 1874.
Letter from General Superintendent, No. 734, dated 30th June 1875.
And this reply.

Extract (paragraphs 19 to 31) from the Annual Report on professional crime in the North-Western Provinces, for the year 1877, by R. T. Hobart, Esq., Deputy Inspector General of Police, North-Western Provinces.

19. The number of robberies by poison has risen in 1877 to 47. This large number of cases is unprecedented, and may arise, as Government surmises, from more instances of its perpetration coming to light, or may be the result of a spreading crime. I incline on many grounds to the latter opinion. The number of robberies by poison in each year since 1869 will be found in a foot-note. In a few instances non-professional crime has crept into the returns in three instances this year, but the admixture is not such as to materially affect any deductions derivable from the figures.

The crime is spread over all five divisions, but is only reported from 14 districts. Of these, Agra, Etah, Moradabad, Sahâranpur, Basti, and Ghâzipur, appear most frequently in the returns.

20. In Agra a series of startling crimes was brought to light by the revelations of Radhaballab, a Brahman of the Muttra District. He and some of his associates (the gang was composed of from 9 to 12 men) had for years been in the habit of hiring carts in large towns, drugging

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1869.	1870.	1871.	1872.	1873.	1874.	1875.	1876.	1877.
26	34	20	19	19	33	18	36	

the cartman on the journey, leaving him to live or die, and disposing of the cart and bullocks. Radhaballab was cleverly apprehended, and induced to reveal what he knew, by Inspector Ganga Dial.

In Basti two cousins were apprehended who had for years plied the trade along the Basti and Fyzabad road. Their method of proceeding was very simple. They picked up strangers on the road (generally women), engaged in conversation with them, did them little friendly offices, drew water for them or gave them *gur*, and drugged and robbed them. Ali Husain, Sub-Inspector of Amroha, deserves much credit in this case.

In Moradabad, near the town of Chandausi, the whole neighbourhood was terrorised by five of these crimes occurring within a fortnight, and all evidently committed by the same man; four of them were perpetrated almost under the very eyes of the Police, while they were enquiring into the first case. The offender was discovered through an informer. It is remarkable that his victims in every case were veritable paupers. Among other cases I may mention the capture of Musammat Miriam, a professional poisoner, by the Panjáb Police (case No. 2, Sahâranpur). The conviction of Maháraj (case No. 3, Sahâranpur), a well-known professional poisoner and a Brahman of Nawabganj, in Oudh; the capture of Lachman (case No. 15, Agra), who seems to have followed this pursuit far and wide through the North-Western Provinces, Central Provinces, and Bengal; the capture of the kahár in Gházipur (case No. 29), who in the guise of a fakír had for years practised poisoning in Bengal, and seems to have victimised fellow-fakírs only; and the capture of the Brahman (case No. 39, Moradabad) whose operations extended from Moradabad to Mirzapur, and who, as a native of Partabgarh, in Oudh, probably practised in this province also, are all matters for congratulation.

21. The same old features of this crime are reproduced year after year. We have the poisoner who hires a cart, drugs the cartman, and steals the cart; the poisoner of good address who assumes the role of a fellow-traveller, and obtaining the confidence of his new friend drugs and robs him; the man who out of pure kindliness draws water for a passing thirsty woman and drugs the water; and the men who consort with, drug, and rob prostitutes. It is exceedingly difficult to suggest any method of preventing this offence. It is indigenous to the soil, and will continue so long as credulous fools exist. It is practised solely or almost solely on the leading highways of the province.

22. It is incredible that the crime should be confined to the roads of those 14 districts only whence it has been reported this year, or that it should be so capricious as to be common on one part of the Grand Trunk Road, then skip a district or two, and re-appear in vigour on the same road lower down. I am still of opinion that this crime is very much concealed, and such is the prevailing impression among officers who have had most to do with the crime: and the facts would seem to indicate this. When professional poisoners are caught and confess their guilt, the record is a series of crimes, extending sometimes over 30 years—crimes committed with almost absolute impunity and frequently unrecorded. As a rule, the amount taken is small, and victims do not care to lose their time as well as their money, and so do not report the offence at Police stations. Indeed, it not seldom happens that the

victims will obstinately deny that any stranger joined and drugged them, and cases have to be worked out in the face of this dogged opposition. Zemindars constituting a panchayat are only too glad to find that a man has died by the visitation of God: and such men will at times let both poisoner and victim go, and so save themselves trouble. The chaukidar will at times take the sufferer off to the boundary of another village and leave him there, so as to get rid of responsibility. I would cite in corroboration of these statements cases of this very year: special report No. 3 of Sahâranpur, special report No. 24 of Aligarh, special report No. 1 of Etah, special report No. 1 of Cawnpore, also Radhaballab's cases; special report No. 5, dated 23rd February 1877, and No. 28, dated 27th July 1877, of the Agra district; Basti cases, special reports Nos. 33, 33A, 33B, and 33C; old Muzaffarnagar case given in the report of professional crime for the first half-year of 1876. To show that the crime is concealed, I need not travel beyond the present record. The average of the sums abstracted in each case is so small that the crime must be frequently practised merely to support life. Now, in over 30 of the cases on our lists the perpetrator is a professional and a different man. If he follows the profession solely and, like most poisoners (according to their recorded admissions), makes his living therefrom and from nothing else, then, taking into account the expenses of living, one may calculate almost arithmetically how many men have been victimised in the year. According to my calculation, our present number should be multiplied by three.

23. It is commonly assumed that the poisoner, unlike the thug, does not kill his victim. Perhaps he deos not intend to kill, but he very frequently manages to cause death. In the 44 professional cases (3 are non-professional) which occurred, there are no less than 15 deaths, all caused directly by dhatoora poisoning. How many more have died in this way we know not, for dead men tell no tales. And when the unwillingness of the victims to reveal the crime has been overcome, the difficulties of unravelling the crime only begin. The poisoner has to be arrested, and the prosecutor must be kept under a sort of *quasi*-surveillance, lest he should bolt, for he is unsupported by any sense of public duty, and merely looks to the loss of his Rs. 2 or 3 and the time which he thinks he is wasting. The Civil Surgeon is unable at times to say whether the prosecutor has been poisoned or not, and sometimes he distinctly says not (dhatoora poisoning is difficult to determine), and it is not till the Chemical Examiner has found poison that the Courts will act. The Courts of sessions require a great deal of corroborative evidence. Now the most direct way of proving the truth of the prosecutor's story is to take him to the different places where he states he has been in company with the poisoner, and to confront him and the poisoner with the various people who, he says, saw them together on their journey—sarai-keepers, baniyas, *et hoc genus omne*.

24. But sometimes a Magistrate will not undertake the responsibility of making over a man suspected of poisoning to an Inspector to take about in this way. Yet it is obvious that we cannot summon the whole of the sarai-keepers along a stretch road of 100 or 150 miles to some central place, on the off-chance of their recognizing a poisoner. One of the best cases of the year fell through, with respect to two accomplices, because of a refusal of this nature. The Magistrate afterwards came

over to my views in this respect, but meantime the case was lost. And when the case is put before the Court of sessions, I think an Assistant Magistrate should be deputed to argue it. The Judge of Agra and Muttra has been most earnest in impressing this on me, and I quite agree. It has more than once happened that the victim who had lost Rs. 20 perhaps has been bought over by the poisoner and purposely broken down before the Court of sessions, and this Court is naturally biassed against the evidence, which is sometimes that of an accomplice, and the corroborative portion of which is made up of an infinite number of little events and circumstances. These poisoners are nearly always represented by Counsel. And besides the Court we have to reckon an the assessors, who are singularly averse from bringing in a poisoner guilty. It is almost incredible that in the series of poisoning cases which occurred in Moradabad, and in at least two of which the accused confessed his guilt and where the evidence (corroborative) was overpowering, the assessors in each and every case gave it as their opinion "that the charges were not proved, because there were no eye-witnesses to the food having been given."

25. Another difficulty in dealing with the crime is its solitary nature. It is but seldom that there is a confraternity such as existed in Radhaballab's case, or such as was common when thuggee flourished. As a rule, the professional poisoner is his own and sole counsellor and confidant, and so you can seldom command the assistance of an approver. He is of no peculiar caste, and comes from no special part of the country. There are Kachis, Koris, Kayaths, Ahirs, Thakurs, Brahmins, Hajjams, Telis, and Kahars among the convicted, and they come from all parts; two of the very worst and oldest hands from Oudh, a province where I am assured the crime is hardly known.

26. With all these difficulties to surmount, I think Police work has been fair.

The following table gives briefly the statistics of the year, and also those of pending cases of the previous year, and those in which arrests were made in old cases :—

			Persons.			Convicted.		Acquitted.			Tried on other charges.			Pending before Magistrate or Sessions.			
	Cases.	Persons concerned.	Arrested and received by transfer.	Died, discharged before trial, and transferred.	Brought to trial.	Cases.	Persons.	Cases.	Persons.	Queen's evidence.	Cases.	Persons. Convicted.	Persons. Acquitted.	Cases.	Persons.	Cases undetected.	Remarks.
Occurred during 1877	47	80	57	7	50	12	12	3	5	...	2	5	...	16	28	13	In one case the man died after arrest.
Standing committed to the sessions and pending before Magistrate at close of last year.	8	10	...	...	10	7	9	1	1	...	...	...	...	...	...	...	
Arrests made in cases of previous years.	...	...	7	...	7	...	3	...	1	...	...	2	...	...	1	...	
Total	55	90	64	7	67	19	24	4	7	...	2	7	...	16	29	13	

I had best explain that three of these crimes are non-professional. I have been obliged to retain them to make my figures square with district returns. The difference is immaterial.

27. Thirteen cases remained undetected at the close of the year, chiefly in Agra, Cawnpore, and Bareilly; 16 cases and 28 persons were under trial. Of cases disposed of within the year, including those in which the charge was the cognate one of receiving property stolen in robbery by poison, 14 were convicted and 3 acquitted, or over 82 per cent. of conviction. Of persons tried in these cases, 17 were convicted and 5 acquitted, or 77 per cent. of conviction. Bulking all action as shown in the above statement, we obtained 84 per cent. conviction in cases tried, and 81 per cent. conviction of persons tried therein.

28. Of these cases the following are the most interesting in the second half-year :—

Serial No. 12, Agra District, special report No. 28, dated 27th July 1877.

This is another of the poisoning cases to which a clue was obtained from the confessions of Radhaballab. According to his account, six men—Megha Ját, Ganpat Ját, Phúla Darzi, Radhaballab Brahman of Kursenda, Tíka Khatik of Gorai, and Pars Ram Ját of Marob—went to Agra; three of them—*viz.*, Phúla, who personated a patwári, Radhaballab his servant, and Megha the family barber—hired a cart to go to Muttra. In the evening they were joined by the other three men. They drugged and concealed the driver among them; while Radhaballab personated cartman, four of them, when they had got on a bit, took the cartman away (he has not since been heard of). At Muttra they got a blacksmith to open the lock of the bullocks' chain. Thence they went to Gorai and put up with Súján and Kursen, relatives of Megha and Ganpat; next morning Budha (a relative of Súján and Kursen) went with them to Marob, where they sold the cart and bullocks to one Chíta for Rs. 30. When the Háthras case became notorious, Ali Khan, chaukidar of Agra, gave in a petition about this case, and said that Girdhari Káchi, Roshan Gaddi, and Rustam Mewati were present when the cart was hired. Tíka denied complicity, but declared he saw the other five accused come to Súján's house in December last, and complain that they had sold a cart and pair of bullocks to Chíta, who had not paid them; that Súján was displeased and sent them to get the money. After the close of the year Megha was transported for life. In this case Radhaballab was made Queen's evidence, three men were acquitted, and Ganpat and Phúla have not yet been arrested.

Serial No. 15, Agra District, special report No. 51, dated 13th September 1877.

Musammat Malliah and Dhimkuar, mother and daughter, were returning from a visit to Agra; near the village of Dhimsiri they were joined by a man and woman with two children. They dined with them at Fatehabad, and after proceeding some 3 miles on their road became insensible. As soon as they had recovered sufficiently to give a description of the offenders, the Police were put on the alert, and a head-constable met the accused travelling along the high road. They were searched and the property recovered; dhatoora was also found. Both confessed. The woman was a Brahman widow and lived with Lachman, *alias* Mohun Mulaha, the other accused; their home is in Loharu, in the Fatehabad Circle. From the woman's statement it appeared that Lachman was a professional poisoner, whose operations

extend over a very large area of country. He was transported for seven years after the year closed.

Serial No. 32, Basti District, special report No. 33, dated 23rd November 1877.

It appears that the father of a constable in Basti had come to visit his son. On his return journey he picked up a companion and they became friendly. Soon after the new friend gave the man some *gur* and they ate together. The complainant became giddy and ill, and was found in a state of insensibility soon after, with his property gone. This occurred on the Basti and Fyzabad main road. From the description given of the poisoner by the complainant and by the baniya at whose shop the *gur* was bought, Sub-Inspector Ali Hassan pursued and arrested the poisoner, who turned out to be Ram Parshad, and Ahir and cousin of Mathura, a celebrated poisoner, recently arrested in this district. After the arrest of these men a lot of other poisoning cases against them cropped up. These cases had not been reported. This fact will illustrate the frequent assertion that we little know how many of these cases there are. It is also notable that the Civil Surgeon could detect no symptoms of poisoning in the complainant in this case.

Serial No. 33, Basti District, special report No. 33A, dated 24th October 1877.

In the course of the enquiry in case No. 33, it was ascertained that a woman had been poisoned and robbed eight or ten days before. She was sent for, and stated that the man in arrest (Ram Parshad) had accosted her on the road, that they kept company for a short time, that he gave her *gur* and *sattu* to eat, that she became insensible, and on recovery of her senses found that she had lost her nose-ring, value Rs. 4. This nose-ring was found in the house of Mathura, the cousin of Ram Parshad.

Serial No. 34, Basti District, special report No. 33B, dated 24th October 1877.

While enquiry was being prosecuted in case No. 33, it transpired that in the previous year, in the month of July, one Mussammat Sidni had been drugged and robbed. The woman was sent for and confronted with Ram Parshad, whom she at once identified. She stated that while on her way one day to a distant village, she met Ram Parshad (whom she did not know) sitting on a bridge on the highway. He accosted her, offered to go with her, as she was thirsty gave her *gur* and water to drink. She lost consciousness, and on recovery found her necklace and nose-ring (value Rs. 12) gone.

Serial No. 35, Basti District, special report No. 33C, dated 24th October 1877.

While case No. 33 was being enquired into, it came out that two women had been drugged about May 1875. They were two respectable Brahman women, who were similarly accosted by a stranger who joined them and drew water for them. They thought the water muddy and queer tasting, and complained at the time. Their new friend said it was the leaves which had fallen into the well gave the water the queer taste and colour. They lost their senses and were robbed of their jewels. They identified Mathura as the man who gave them the water.

29. Since writing my last half-yearly report, I have completed my roll of undetected poisoners, and have in two cases proved its extreme utility. I am having it translated for general use. My office will soon be set to work on descriptive rolls of poisoners whose term of imprison-

ment has expired or is about to expire. I anticipate much benefit from this register also.

30. Having set forth the difficulties encountered by the Police, perhaps I may be expected to offer a few suggestions to overcome them. I have but few to offer. I think Magistrates might be recommended to be sympathetic with the Police in their endeavour to unravel crimes of this sort, and that facilities for freely confronting the accused with men along the line of road he is said to have travelled, should be freely accorded to Police officers. I think that every case of this kind should be made over to a special officer in each district to watch, try, and if necessary plead before a sessions court. I think that descriptive rolls of suspected poisoners should at once from memory be taken down from victims' mouths the moment such victims have regained sufficient consciousness as to be able to give a reasonable account of the crime; that such rolls should at once be sent to the *Police Gazette,* and above all should at once be despatched to me. At present it is only by repeated solicitation I can procure these rolls, and much time is lost in getting the matter into the Gazette. Now the value of prompt information in cases of this sort is so obvious that it is useless to explain it. Of course all this is only supplementary of the spread of information on the spot and the free use of intercommunication between districts. I also think it would be advisable were this office supplied with copies of the Panjáb and Bengal and Central Provinces *Police Gazettes.*

31. With regard to prevention of the offence, it is much more difficult to offer an opinion. The Police along the leading high roads of the province should be constantly on the alert, and both they and the road chaukidars should be made acquainted with the personal appearance of all fresh poisoners. And I think it would be well were notices of poisoning in simple Hindi posted up at sarais and Police stations, such as we have at home in railway stations and elsewhere respecting pickpockets. It is a simple and almost childish plan, but I cannot but think it would suit the people and have its use. In conclusion I beg to recommend Inspector Ganga Dial, whose services you have placed at my disposal for this work, to your favourable notice.

Poisoning.—No. I.—Statement of professional poisoning

Number.	District.	No. and date of special report.	Number of cases reported.	Number in which arrests were made.	Persons.							Result of			
					Number said to have been concerned.	Arrested.	Died.	Discharged before trial.	Transferred.	Received by transfer.	Brought to trial.	Convicted.		Acquitted.	
												Cases.	Persons.	Cases.	Persons.
1	Muzaffarnagar	No. 12, dated 17th July 1877.	1	1	1	1	...	...	...	...	...	...	...	...	...
2	Sahâranpur ...	No. 1, dated 9th January 1877.	1	1	1	1	...	...	...	...	1	1	1	...	...
3	Ditto ...	No. 3, dated 16th February 1877.	1	1	1	1	...	...	...	...	1	1	1	...	...
4	Ditto ...	No. 9, dated 8th June 1877.	1	1	1	1	...	1	...	...	...	...	...	...	...
5	Ditto ...	No. 14, dated 26th July 1877.	1	1	1	1	...	...	...	...	1	...	...	...	...
		Total ...	4	4	4	4	...	1	...	...	3	2	2	...	...

cases committed during the year 1877.

POLICE ACTION.										
Number of persons made Queen's evidence.	Tried on other charges.			Pending before Magistrate.		Standing committed to Sessions.		Value of property.		Remarks.
	Cases.	Persons. Convicted.	Persons. Acquitted.	Cases.	Persons.	Cases.	Persons.	Stolen.	Recovered.	
								Rs. A. P.	Rs. A. P.	
...	...	...	...	...	...	...	...	...	...	A man calling himself a Romai hired a "baili" from one Nanuk. Nanuk drove it. On the way they made friends, and Nanuk ate some food given him by Ramai. He sickened and died near the Bhopa Police station. The officer there suspecting some foul play, sent in the body to the Civil Surgeon, and kept the Ramai under surveillance. During the night the Ramai also died. There can be no doubt but that he poisoned himself with dhatoora, which was found on him, and from which Nanuk died. This man had been tried and acquitted on a charge of poisoning in Bijnor only a year before.
...	...	...	...	...	...	...	...	59 8 0	...	This case has already been given in the half-yearly report. One Musammat Miriam, a notorious professional poisoner in the Panjáb, visited the district of Sahâranpur, promised there to get a wife for a young man, drugged the whole family on its way to see the girl, and took their property. She was traced to the Panjáb, where she was sentenced to ten years' imprisonment in another case. She has since been convicted in this case also, and sentenced to be imprisoned for five years.
...	...	...	...	...	...	...	...	37 0 0	...	This case has already been reported in full. Two syces and a third man (of unknown calling) were met by one Bihari on their way home from the Panjáb. They made friends and drank together, and Bihari drugged the liquor with dhatoora. The third man died, and the other two men recovered, and found their money and Bihari gone. It was with the greatest difficulty that a clue was found in this case, as the syces persisted in their allegation that no fourth party had joined them. At last by dint of perseverance they admitted that one Bihari had joined them, and when they were taken to Umballa they there identified one Maharáj as the culprit. Maharáj was transported for life.
...	...	...	...	...	...	...	...	16 0 0	...	A false and in any case a non-professional case.
...	...	...	...	...	...	1	1	19 8 0	13 0 0	A young Hindu meets one Mohan Lal at the Railway Station, asks for a drink of water. They become friendly. The young Hindu gives Mohan Lal some sweetmeats, and they lie down to sleep. When Mohan Lal wakes up, his money and new friend are gone. One Shibbu Kahar, of Chuchraul, in Rajwara, was suspected and arrested in this case. Some of the prosecutor's clothing was found in his house. He has been acquitted since the close of the year.
...	...	...	...	...	...	1	1	132 0 0	13 0 0	

Poisoning.—No. I.—Statement of professional poisoning

Number.	District.	No. and date of special report.	Number of cases reported.	Number in which arrests were made.	Persons.							Result of			
					Number said to have been concerned.	Arrested.	Died.	Discharged before trial.	Transferred.	Received by transfer.	Brought to trial.	Convicted.		Acquitted.	
												Cases.	Persons.	Cases.	Persons.
6	Aligarh ...	No. 24, dated 16th August 1877.	1	1	6	3	...	...	...	...	3	...	...	...	...
7	Ditto ...	No. 57, dated 6th December 1877.	1	...	1	...	...	...	...	...	...	...	...	...	...
		Total ...	2	1	7	2	...	...	...	...	3	...	...	...	...
8	Agra ...	No. 5, dated 23rd February 1877.	1	1	9	9	...	...	...	...	9	...	...	...	...
9	Ditto ...	No. 16, dated 14th April 1877.	1	...	2	...	...	...	...	...	...	...	...	...	...
10	Ditto ...	No. 21, dated 7th May 1877.	1	...	1	5	...	...	...	...	...	...	...	...	...
11	Ditto ...	No. 27, dated 27th July 1877.	1	1	1	1	...	...	...	...	1	1	1	...	...
12	Ditto ...	No. 28, dated 27th July 1877.	1	1	6	5	...	3	...	...	2	...	...	...	...
13	Ditto ...	No. 29, dated 27th July 1877.	1	...	1	...	...	...	...	...	...	...	...	...	...

cases committed during the year 1877—continued.

POLICE ACTION.										
Number of persons made Queen's evidence.	TRIED ON OTHER CHARGES.			PENDING BEFORE MAGISTRATE.		STANDING, COMMITTED TO SESSIONS.		VALUE OF PROPERTY.		REMARKS.
	Cases.	Persons. Convicted.	Persons. Acquitted.	Cases.	Persons.	Cases.	Persons.	Stolen.	Recovered.	
								Rs. A. P.	Rs. A. P.	
...	1	2	...	...	...	...	1	168 0 0	168 0 0	One of a series of cart and bullock robberies by poisoning committed by the Muttra gang, to which Radhaballab approver belonged. The men convicted were punished under Section 414, Indian Penal Code. The victim in this case no doubt died. He was thrown into a ditch, and has not been heard of since.
...	...	...	...	...	...	...	..	...	...	A man was found in the Aligarh Railway station pulling the travellers' things about. He was found to be suffering from dhatoora poisoning. He described a new friend whom he had made at the Railway station, and how they ate together and got ill. No theft was effected in this case.
...	1	2	...	...	...	...	1	168 0 0	168 0 0	
...	...	...	...	...	...	1	9	93 0 0	...	Already reported in full. One of a series of thefts by poisoning committed by the gang to which Radhaballab belonged. Of these men three were convicted (after the close of the year) of poisoning The rest were acquitted.
...	...	...	...	...	...	...	...	211 0 0	...	Already reported. A Cabuli by his own account was drugged with poisoned sharbat, and plundered when insensible. No clue has been found.
...	...	...	...	...	...	...	...	5 0 0	...	Already reported. A traveller from Bhartpur was met by a man who promised him employment. They ate together. The traveller was drugged and plundered.
...	...	...	...	...	...	...	...	15 0 0	15 0 0	Already reported. A traveller was found insensible on the road side. On returning to consciousness he stated that a newly-made friend had drugged him while they ate together. Inspector Mahibulla, from the description given, promptly rode after the poisoner and caught him up (after an 18 miles ride) riding the pony of the complainant.
...	...	...	...	1	2	...	...	8 0 0	...	One of a series of cart and bullock robberies committed by a gang to which Radhaballab belonged. The cartman no doubt died. He has not been heard of since. One man was after the close of the year transported for life.
...	...	...	...	...	...	...	...	...	...	Five women and a boy on their way to bathe in the Jumna, at Agra, from Mainpuri, were found dead not far from the road side near Túndla. It was shown by the medical evidence that they had been poisoned with dhatoora. This terrible crime is undiscovered. A clean sweep was made of the whole party. This case has already been reported. The extraordinary feature of the case is that nothing seems to have been stolen.

Poisoning.—No. I.—Statement of professional poisoning

Number.	District.	No. and date of special report.	Number of cases reported.	Number in which arrests were made.	Persons.							Result of			
					Number said to have been concerned.	Arrested.	Died.	Discharged before trial.	Transferred.	Received by transfer.	Brought to trial.	Convicted. Cases.	Convicted. Persons.	Acquitted. Cases.	Acquitted. Persons.
14	Agra ...	No. 38, dated 22nd August 1877.	1	...	2	...	...	...	...	...	...	...	...	...	...
15	Ditto ...	No. 51, dated 13th September 1877.	1	1	2	2	...	...	...	...	2	1	1	...	1
		Total ...	8	4	24	17	...	3	...	...	14	2	2	...	1
16	Muttra ...	No. 16, dated 11th July 1877.	1	1	1	1	...	...	...	...	1	...	...	1	1
17	Ditto ...	No. 46, dated 29th September 1877.	1	1	2	2	...	...	...	...	2	1	...	...	1
		Total ...	2	2	3	3	...	...	...	...	3	1	1	1	2
18	Etah ...	No. 1, dated 25th April 1877.	1	...	1	...	...	...	...	...	...	...	...	...	...
19	Ditto ...	No. 2, dated 19th May 1877.	1	1	2	1	...	...	...	...	1	...	...	...	...
20	Ditto ...	No. 6, dated 5th July 1877.	1	1	2	2	...	...	...	...	2	1	1	...	...

cases committed during the year 1877—continued.

POLICE ACTION. Number of persons made Queen's evidence.	Tried on other charges. Cases.	Tried on other charges. Persons. Convicted.	Tried on other charges. Persons. Acquitted.	Pending before Magistrate. Cases.	Pending before Magistrate. Persons.	Standing committed to Sessions. Cases.	Standing committed to Sessions. Persons.	Value of property. Stolen.	Value of property. Recovered.	Remarks.
								Rs. A. P.	Rs. A. P.	
...	...	...	...	...	...	...	...	7 0 0	...	A man, woman, and child were found on the Firozabad road. The latter two dead, the first insensible. It appears they had met with a Brahmin fakir, his wife and child, and had been drugged by them with dhatoora. The succeeding crime and this one were not committed, it would appear, by the same criminals.
...	...	...	...	...	...	...	...	4 0 0	3 0 0	Two women, mother and daughter, on their way from Agra were met in the Fatehabad Circle by a man, woman, and two children. They ate together, and the two women were drugged with dhatoora. A head-constable, from the description given, followed up and arrested the poisoner, who proved to be a Mullah and a Brahmin widow in his keeping. From what the woman said the man Luchman is no doubt a professional poisoner. Luchman got seven years after the close of the year. The woman was acquitted.
...	...	...	...	1	2	1	9	343 0 0	18 0 0	
...	...	...	...	...	...	...	...	13 4 0	...	A young woman and her mother-in-law were met by a man who volunteered to show them the way and gave them some churun to eat. They became insensible and were robbed. The mother-in-law died. The accused was identified by the surviving woman, but was acquitted by the court of sessions. An ineffectual appeal was preferred to the High Court in this case.
...	...	...	...	...	...	...	...	...	...	This is not a professional case. A bunya wanted to get rid of a leprous wife. So he mixed arsenic in her food. She happened not to eat it, but to give it to a friend. The friend and her two children ate it and died.
...	...	...	...	...	...	...	...	13 4 0	...	
...	...	...	...	...	...	...	...	4 1 0	...	This case was reported before. A poor beggar was met by a man, who gave him a drugged chilum to smoke, and when he became unconscious, robbed him. The poisoner, who has a remarkable personal appearance, is well known. He has not yet been found. He is one Jorawar, Thakur of the Muttra District.
...	...	...	...	...	...	1	1	1 8 0	...	Two men on their way to Jugger Nath were drugged by two men connected with Radhaballab's gang at Rajor. The accused mixed dhatoora with dal and gave it to the prosecutors.
...	...	1	...	...	...	...	...	...	...	....

Poisoning.—No. I.—Statement of professional poisoning

Number.	District.	No. and date of special report.	Number of cases reported.	Number in which arrests were made.	Persons. Number said to have been concerned.	Persons. Arrested.	Persons. Died.	Persons. Discharged before trial.	Persons. Transferred.	Persons. Received by transfer.	Persons. Brought to trial.	Result of — Convicted. Cases.	Result of — Convicted. Persons.	Result of — Acquitted. Cases.	Result of — Acquitted. Persons.
21	Etah ...	No. 27, dated 22nd December 1877.	1	1	2	2	...	...	...	...	2	...	...	...	...
22	Ditto ...	No.—, dated 28th December 1877.	1	1	1	1	...	...	...	...	1	...	...	...	...
		Total ...	5	4	8	6	...	...	...	...	6	1	1	...	...
23	Allahabad ...	No. 9, dated 16th March 1877.	1	1	2	1	...	...	...	...	1	1	1	...	...
24	Cawnpore ...	No. 1, dated 11th January 1877.	1	...	1	...	...	...	...	...	...	...	...	...	...
25	Ditto ...	No. 16, dated 13th August 1877.	1	...	1	...	...	...	...	...	...	...	...	...	...
		Total ...	2	...	2	...	...	...	...	...	...	...	...	...	...
26	Ghâzipur ...	No. 5, dated 19th March 1877.	1	1	1	1	...	...	...	...	1	...	...	1	1
27	Ditto ...	No. 6, dated 19th March 1877.	1	1	1	1	...	...	...	...	1	1	1	...	...
28	Ditto ...	No. 8, dated 19th May 1877.	1	1	2	1	...	...	...	...	1	...	...	...	...
29	Ditto ...	No. 19, dated 5th October 1877.	1	1	1	1	...	...	...	...	1	1	1	...	...
		Total ...	4	4	5	4	...	...	...	...	4	2	2	1	1

cases committed during the year 1877 —continued.

POLICE ACTION.								Value of property.		Remarks.
Number of persons made Queen's evidence.	Tried on other charges.			Pending before Magistrate.		Standing committed to Sessions.				
	Cases.	Persons. Convicted.	Persons. Acquitted.	Cases.	Persons.	Cases.	Persons.	Stolen.	Recovered.	
								Rs. A. P.	Rs. A. P.	
...	...	...	...	...	...	1	2	2 0 0	2 0 0	This is a non-professional case. A woman was given drugged sag to eat by two of her neighbours, she states, and her property taken.
...	...	...	...	1	1	...	...	...	...	....
...	...	1	...	1	1	2	3	7 9 0	2 0 0	
...	...	...	...	...	...	...	...	40 10 0	40 10 0	This case has already been fully reported. A man was found wandering naked. He was locked up as a drunkard; on coming to his reason, it was found out that he had been drugged. The crime was traced to one Lalla Hajjam of the Allahabad district, Mandah circle, who was imprisoned for ten years.
...	...	...	...	...	...	...	...	7 7 0	...	This case has already been fully reported. A man drugged by a friend whom he picked up on the road, and who came with him for many days from Farukhabad till near Cawnpur. The crime is still untraced.
...	...	...	...	...	...	...	...	30 0 0	...	A man calling himself Ghulam Husain consorted for a few days with a prostitute. She got ill and he prescribed for her, giving her sherbet. The sherbet was drugged and the man absconded with the woman's jewellery. This crime is still untraced.
...	...	...	...	...	...	...	...	37 7 0	...	
...	...	...	...	...	...	...	...	50 0 0	...	This case has already been reported. A man picks up a new friend on the road, is drugged and robbed near Gházipur. The poisoner was clearly identified, but the Police failed to secure corroborative evidence. The poison was given smoking.
...	...	...	...	...	...	...	...	...	...	A curious case, already reported. One Mulaie Hajjam expressed a desire to feed the Brahmins of a temple, intending to plunder it and them; three of them ate the *púris*. They afterwards smoked. Those who smoked lost consciousness. All fortunately did not eat and smoke. The accused got four years.
...	1	1	...	...	...	...	...	61 0 0	...	This case has already been reported. Two men slept with and drugged two prostitutes and robbed them. The accused was convicted under Section 411.
...	...	...	...	...	...	...	...	...	...	A fakir and his family put up a stranger fakir. The stranger prepared and drugged their food. He was traced out and found to be a professional poisoner engaged in several cases in Bengal. He was a kahar by caste and resident of Ramgaon, district Shahabad. His victims were always fakirs. The punishment imposed was transportation for ten years.
...	1	1	...	...	...	...	...	111 0 0	...	

Poisoning.—No. I.—Statement of professional poisoning

Number.	District.	No. and date of special report.	Number of cases reported.	Number in which arrests were made.	Persons. Number said to have been concerned.	Arrested.	Died.	Discharged before trial.	Transferred.	Received by transfer.	Brought to trial.	Result of: Convicted. Cases.	Persons.	Acquitted. Cases.	Persons.
30	Basti ...	No. 3, dated 29th January 1877.	1	1	2	2	...	...	...	...	2	1	1	...	...
31	Ditto ...	No. 18, dated 15th June 1877.	1	1	1	1	...	...	...	...	1	...	...	1	1
32	Ditto ...	No. 33, dated 24th October 1877.	1	1	1	1	...	...	...	...	1	...	...	...	...
33	Ditto ...	No. 33A., dated 24th October 1877.	1	1	2	2	...	...	...	...	2	...	...	...	...
34	Ditto ...	No. 33B., dated 24th October 1877.	1	1	1	1	...	...	...	...	1	...	...	...	...
35	Ditto ...	No. 33C, dated 24th October 1877.	1	1	1	1	...	...	...	...	1	...	...	...	...
		Total ...	6	6	8	8	...	...	...	...	8	1	1	1	1
36	Azamgarh ...	No. 15, dated 6th June 1877.	1	1	2	1	...	...	...	...	1	...	...	...	...
37	Bareilly ...	No. 57, dated 3rd December 1877.	1	...	1	...	...	...	...	...	...	...	...	...	...

cases committed during the year 1877—continued.

POLICE ACTION.										
Number of persons made Queen's evidence.	Tried on other charges.			Pending before Magistrate.		Standing committed to Sessions.		Value of property.		Remarks.
	Cases.	Persons. Convicted.	Persons. Acquitted.	Cases.	Persons.	Cases.	Persons.	Stolen.	Recovered.	
								Rs. A. P.	Rs. A. P.	
...	...	1	...	...	...	...	...	36 0 0	10 0 0	This case has already been reported. It is a confused account of a quarrel between bairágis. It is probable that two of them drugged and robbed a third. They were convicted of the offence and sentenced to undergo two and six years' imprisonment.
...	...	...	...	...	...	...	...	5 12 0	...	This case has already been fully reported. An opium smuggler was drugged and robbed by a young man whom he picked up on the road. The drug was given in *suttu*.
...	...	...	..	...	...	1	1	3 11 9	...	This is one of a series of poisoning proved against two Ahir cousins, Ram Parshad and Muttra. In this case the father of a constable going home made friends with Ram Parshad on the road, ate some *gur* given him, became insensible, and was robbed on the Basti and Fyzabad road. Ali Hussun, Sub-Inspector of Amroha, did right good work in this case.
...	...	...	...	...	...	1	2	4 0 0	4 0 0	Here a woman was the victim of Ram Parshad, who made her acquaintance in the same way on the same road and gave her *gur* to eat. He stole her nose-ring, when she lost consciousness: she did not report the crime.
...	...	...	...	...	...	1	1	10 0 0	...	Another woman victimised in precisely the same way in 1876. This case also leaked out during the first enquiry, and was not reported.
...	...	...	...	...	...	1	1	23 0 0	...	Two more women victimised in the same way in 1875 by Muttra, cousin of Ram Parshad. This case also was unreported, and transpired in the course of the enquiry into case No. 33. After the close of the year, Ram Parshad was sentenced to ten years', and Muttra to nine years' transportation.
...	...	1	...	...	...	4	5	82 7 9	14 0 0	
...	...	...	...	1	1	...	...	...	...	This case has already been reported. Two Ahirs gave drugged milk to a whole family in order to obtain the family jewellery. One of them, a notorious evil liver, was arrested, convicted, and sentenced to undergo 12½ years' transportation. One of the children died in this case.
...	...	...	...	...	...	...	...	20 0 0	2 0 0	The old story. A cartman falls in with a man on the road. He and the woman he had engaged to carry eat some *púris* and sweetmeats given by the stranger, who calls himself a Brahmin, and they lose consciousness and are robbed.

Poisoning.—No. I.—Statement of professional poisoning

Number.	District.	No. and date of special report.	Number of cases reported.	Number in which arrests were made.	Persons.							Result of			
					Number said to have been concerned.	Arrested.	Died.	Discharged before trial.	Transferred.	Received by transfer.	Brought to trial.	Convicted.		Acquitted.	
												Cases.	Persons.	Cases.	Persons.
38	Bareilly ...	No. 61, dated 22nd December 1877.	1	...	2	...	...	...	..	...	...	...	...	...	...
		Total ...	2	...	3	...	...	...	...	...	...	...	...	...	...
39	Moradabad ...	No. 4, dated 23rd January 1877.	1	1	1	1	...	...	...	...	1	1	1	...	...
40	Ditto ...	No. 13, dated 22nd May 1877.	1	...	1	...	...	...	...	...	...	...	...	...	...
41	Ditto ...	No 23, dated 22nd August 1877.	1	1	3	3	...	2	...	...	1	1	1	...	...
42	Ditto ...	No. 41, dated 24th October 1877.	1	1	1	1	...	...	...	...	1	...	...	...	...
43	Ditto ...	No. 42, dated 25th October 1877.	1	1	1	1	...	...	...	...	1	...	...	...	...
44	Ditto ...	No. 44, dated 26th October 1877.	1	1	1	1	...	...	...	...	1	...	...	...	...
45	Ditto ...	No. 45, dated 3rd November 1877.	1	1	1	1	...	...	...	...	1	...	...	...	...
46	Ditto ...	No. 46, dated 6th November 1877.	1	1	1	1	...	...	...	...	1	...	...	...	...
		Total ...	8	7	10	9	...	2	...	...	7	2	2	...	...
47	Budaun ...	No. 16, dated 14th June 1877.	1	...	1	...	...	...	...	...	...	...	...	...	...
		GRAND TOTAL ...	47	35	80	57	1	6	...	...	50	12	12	3	5

cases committed during the year 1877—concluded.

POLICE ACTION.										
Number of persons made Queen's evidence.	TRIED ON OTHER CHARGES.			PENDING BEFORE MAGISTRATE.		STANDING COMMITTED TO SESSIONS.		VALUE OF PROPERTY.		REMARKS.
	Cases.	Persons. Convicted.	Persons. Acquitted.	Cases.	Persons.	Cases.	Persons.	Stolen.	Recovered.	
								Rs. A. P.	Rs. A. P.	
...	...	...	...	...	...	...	...	9 0 0	...	An extraordinary case. A man taken up as a lunatic. He stated that two Policemen of Bareilly, whom he pointed out, had drugged him with a chillum. He was sent to the lunatic asylum and was there found to be really suffering from poisoning. He was released, but failed after release to identify the policemen. A case full of suspicion against the Police.
...	...	...	...	...	...	...	...	29 0 0	2 0 0	
...	...	...	...	...	...	...	...	48 9 0	...	This case has already been reported. A new friend drugged two men with *gur* and a chillum near Meerut. He was soon after found plying his trade in Mirzapur, and as his description published in the *Police Gazette* tallied, he was identified, tried, and got ten years.
...	...	...	...	...	...	...	...	61 0 0	...	A similar case still undetected.
...	...	...	...	...	...	...	...	259 0 0	259 0 0	A man calling himself Janki consorted with a prostitute, drugged her and her servants, and stole her ornaments. He was arrested and got four years' rigorous imprisonment.
...	...	...	...	...	...	1	1	2 0 0	...	This and the four following crimes were committed near Chandausi by one Tika, Kori. In this case two women and a boy were drugged. The boy was found dead. The man got an accumulative punishment of ten years in these cases.
...	...	...	...	...	...	1	1	1 0 0	...	A man, woman, and child were drugged.
...	...	...	...	...	...	1	1	...	...	Two men were drugged.
...	...	...	...	...	...	1	1	1 0 0	...	Two women and five children were drugged.
...	...	...	...	...	...	1	1	2 0 0	1 0 0	Two men were drugged.
...	...	...	...	...	...	5	5	374 9 0	260 0 0	
...	...	...	...	...	...	...	...	9 1 0	...	This case has already been reported. A newly-made friend picked up on the road cooks for both, drugs and robs his victim.
...	2	5	...	3	4	13	24	1,347 15 9	517 10 0	

R. T. HOBART, C.S.,

Depy. Inspr.-Genl. of Police, N.-W. P.

Poisoning.—No. II.—Return showing the result in cases entered in the Return of the second half-year of 1876 as standing committed to the Sessions and pending at close of the second half-year of 1876.

District.	No. and date of special report.	1				2				3		4								Remarks.
		Cases standing committed to the Sessions.				Cases pending at close of the second half-year of 1876.				Total number of cases and persons in columns 1 and 2.		Convicted.		Acquitted.		Struck off.		Uuder trial at close of 1877.		
		Cases.	Persons.	Number of persons arrested since close of year 1876.	Total of persons.	Cases.	Persons.	Number of persons arrested since close of year 1876.	Total of persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	
Aligarh . . .	No. 28, dated 23rd December 1876 .	...	...	...	...	1	1	...	1	1	1	1	1							
Moradabad . .	" 56, " 1st December 1876 . .	1	2	...	2	...	...	...	...	1	2	1	2							
Agra . . .	" 49, " 13th April 1876 . .	1	1	...	1	...	...	...	...	1	1	1	8							
Do. . . .	" 55, " 30th November 1876 .	...	...	...	...	1	1	...	1	1	1	1	1							
Allahabad . .	" 15, " 15th May 1876 . .	1	1	...	1	...	...	...	...	1	1	...	...	1	1					
Do. . . .	" 28, " 28th December 1876 . .	...	...	...	...	1	1	...	1	1	1	1	1							
Basti . . .	" 28, " 12th December 1876 .	1	1	...	1	...	...	...	...	1	1	1	1							
Benares . . .	" 13, " 9th December 1876 . .	...	...	...	...	1	2	...	2	1	2	1	2*							* Punished under Sections 379, 411, and 414.
	Total ...	4	5	...	5	4	5	...	5	8	10	7	9	1	1					

R. T. HOBART, C.S.,
Deputy Inspector-General of Police, N.-W. P.

Poisoning.—No. III.—Return showing arrests made during the year 1877 in cases reported in previous years.

District.	Number of cases.	Date of occurrence.	No. and date of special report.	Persons. Arrested.	Received by transfer.	Brought to trial.	Convicted.	Acquitted.	Tried on other charges. Convicted.	Tried on other charges. Acquitted.	Queen's evidence.	Struck off.	Pending before Magistrate.	Standing committed to Sessions.	Died.	Discharged before trial.	Transferred.	Remarks.
Agra . . .	1	9th December 1877 .	No. 58, dated 13th December 1876 .	2	...	2	...	1	...	...	...	...	...	1	...	...	...	
Saháranpur . .	1	Not given . . .	" 12, " 23rd September 1876 .	2	...	2	2	...	...	...	...	...	...	...	...	...	...	Information has since been received that Radhabullab has been sentenced to transportation for life.
Gházipur . .	1	8th July 1876 . .	" 30, " 10th July 1876 . .	1	...	1	1	...	...	...	...	...	...	...	...	...	...	
Benares . . .	1	1st December 1876 .	" 13, " 9th December 1876 .	2	...	2	...	...	2	...	...	...	...	...	...	...	...	
Total . .	4	......	......	7	...	7	3	1	2	...	...	...	...	1	...	...	...	

R. T. HOBART, C.S.,
Deputy Inspector-General of Police, N.-W. P.

Extract, paragraphs 8 and 9, from a letter from C. ROBERTSON, Esq., Secretary to the Government of the North-Western Provinces and Oudh, to the Inspector-General of Police, North-Western Provinces and Oudh, No. 360A., dated Naini Tál. the 30th May, 1878.

8. The present report shows clearly that the crime of drugging for the sake of robbery is more prevalent than was supposed, and that the greatest activity and intelligence on the part of the Police are required for its suppression. In some cases the success attained this year has been very great, and several very dangerous professionals, after a long career of crime, have been caught and their operations stopped for a time. The general results of Police action in poisoning cases under notice during 1877 were as follows :—

			PERSONS.			CONVICTED.		ACQUITTED.			TRIED ON OTHER CHARGES.			PENDING BEFORE MAGISTRATE OR SESSIONS.			
												Persons.					
	Cases.	Persons concerned.	Arrested and received by transfer.	Died, discharged before trial, and transferred.	Brought to trial.	Cases.	Persons.	Cases.	Persons.	Queen's evidence.	Cases.	Convicted.	Acquitted.	Cases.	Persons.	Cases undetected.	REMARKS.
Occurred during 1877	47	80	57	7	05	12	12	3	6	...	2	5	...	16	28	13	In one case the man died after arrest.
Standing committed to the Sessions and pending before Magistrate at close of last year.	8	10	...	...	10	7	9	1	1	...	...	...	...	...	...	...	
Arrests made in cases of previous years	...	...	7	...	7	...	3	...	1	...	...	2	...	...	1	...	
TOTAL . .	55	90	64	7	67	19	24	4	7	...	2	7	...	16	29	13	

9. The Lieutenant-Governor thoroughly approves Mr. Hobart's efforts to diffuse as widely as possible all the available information regarding professional poisoners who are still at large, and agrees with him that a vernacular descriptive-roll of these criminals will prove of great assistance by placing travellers and others on their guard. The proposed descriptive-rolls of poisoners now in jail, whose sentences are about to expire, will also be most useful. They should be published in the *Police Gazette*, as should also all subsequent additions and corrections. Copies of these rolls should be forwarded to other local Governments for their information.

His Honour the Lieutenant-Governor and Chief Commissioner will commend to the notice of Magistrates Mr. Hobart's suggestion that an Assistant Magistrate should be deputed to prosecute poisoning charges at sessions courts; and a general circular of instructions for the prosecution and detection of these professional poisoners based on his recommendations, will be issued to all Magistrates and district Police officers of the united Provinces. The local Governments of the Panjáb and Bengal, and the Chief Commissioner of the Central Provinces, will be asked to issue the necessary instructions for the supply of the *Police Gazettes* asked for by him.

Circular from C. Robertson, Esq., Secretary to the Government of the North-Western Provinces and Oudh, to all Magistrates and Deputy Commissioners of Districts and Districts Superintendents of Police, North-Western Provinces and Oudh,—No. 58A, dated Naini Tal, 30th May 1878.

It has been brought to the notice of His Honour the Lieutenant-Governor and Chief Commissioner that there is good reason to conclude that the crime of drugging travellers and others by professional poisoners is far more prevalent than there was formerly reason to apprehend. With the object, therefore, of securing the more effectual repression of such offences, I am directed to circulate the subjoined suggestions and instructions for the guidance of all Magistrates of Districts and Superintendents of Police, whose earnest co-operation is requested.

2. The manner in which this crime is perpetrated is well known, and renders the detection and conviction of the poisoners an exceedingly difficult duty. As a rule, they travel alone, and carry out their nefarious designs without witnesses, by drugging the food or drink of unsuspecting travellers, with whom they have managed to strike up a chance wayside acquaintance.

3. A descriptive-roll of all known professional poisoners who are at large has been prepared by Mr. Hobart, Deputy Inspector-General of Police, North-Western Provinces, and a similar roll of any convicted poisoners whose sentences will shortly expire is also under preparation. Both these rolls will be published in vernacular in the *Police Gazette*.

4. Extracts from these rolls should be posted up (both in the Hindustani and local Hindi character) at sarais and Police stations for the due warning of travellers. The Police and the road chaukidars should be accurately informed of the personal appearance of those poisoners whose description is therein detailed, and they should be constantly on the alert with a view to their detection.

5. On the report of any professional poisoning case, the victim should be questioned as to the personal appearance of the poisoner, and his description of the offender should be carefully recorded at the nearest station. Immediate information should also be conveyed to the Police of adjoining districts into which the offender may have passed.

6. Should the description not tally with any of those given in the vernacular descriptive-rolls, a copy of the deposition should be forwarded by the District Superintendent of Police to the Deputy Inspector-General, North-Western Provinces, for information. In Oudh cases this copy will be transmitted through the Deputy Inspector-General for that Province.

7. With the object of securing satisfactory corroborative evidence of the poisoner's guilt after his arrest, it will sometimes be useful to send the prosecutor in charge of a Police Inspector to the places along the road where he says he has been seen in the poisoner's company, and to confront him with any persons, such as sarai-keepers, grain-sellers, &c., whom he may point out as having seen them travelling together. In this way the great difficulty which is often experienced in procuring adequate proof of the poisoner's association with his victim, may be most readily overcome.

8. His Honour is also of opinion that for the efficient prosecution of difficult poisoning cases committed to the sessions courts, Magistrates of districts should, wherever it is possible, depute one of their assistants to conduct the case for the Crown, and should, as far as may be practicable, conduct the preliminary enquiry themselves.

Circular from C. ROBERTSON, Esq., Secretary to the Government of the North-Western Provinces and Oudh, to all Magistrates of Districts, Deputy Commissioners, and District Superintendents of Police, North-Western Provinces and Oudh,—No. 65A, dated Naini Tal, 15th June 1878.

In continuation of Circular No. 58A, of 30th May 1878, and with special reference to the suggestion contained in paragraph 7 thereof, I am directed to say that, in His Honour's opinion, it may also be advisable to send the poisoner as well as the prosecutor in charge of an Inspector, when the District Superintendent of Police has reason to conclude that evidence confirmatory of the identity of the accused, and of his association with his victim, may be secured if both are taken together to the places where they have been seen in one another's company.

Should the District Superintendent of Police consider this course to be necessary for the purpose of obtaining the required corroborative evidence, he should apply to the Magistrate of the district for permission to have the accused sent with the prosecutor, under the custody of an experienced and trustworthy Inspector, to be shown to any persons along the road by which they have travelled together, who may be able to recognize the two travellers.

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